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## PREFACE.

As suggested by numerous subscribers we have decided to go back to the original title of "The Indian Annual Register" instead of "The Indian Quarterly Register", and this change is being given effect to from this year's issue, i. e., 1930. As usual, the Register will henceforward be issued in two six-monthly volumes, each volume chronicling the events of the period by which it will be represented on the cover. The 1930 Register Vol. I. chronicles the events of the period January—June 1930.

Owing to the great space taken up by the momentous events of the Civil Disobedience campaign launched by Mahatma Gandhi, room could not be found for the proceedings of the Provincial Councils in this volume. It is proposed, however, to incorporate the proceedings of those Councils for the whole year in the next issue.

This volume is divided into 5 parts as follows :—

### 1. INDIA IN HOME POLITY.

A. A chronicle of day to day events with a summary of chief events, pp. 17—54.

B. The introduction gives a general survey of the political situation of the period with a philosophic retrospection of the origin of the Nationalist Movement in India, pp. 55—84.

Details of the great happenings of the period, pp 85—192.

### 2. DIGEST OF PROCEEDINGS of the—

A. Legislative Assembly, pp. 193—317.

B. Council of State, pp. 318—332.

### 3. PROCEEDINGS OF THE PUBLIC BODIES—

Such as the All India Congress Committee, Provincial Conferences, both Political & Communal, Associations and Chambers of Commerce, pp. 333—430.

4. INDIA IN PARLIAMENT & ABROAD—

Indian Debate in the House of Lords and House of Commons, India in the International Labour Conference, Indians in Kenya and South Africa, etc., pp. 433—470.

5. BRITISH INDIA & INDIAN STATES—

Proceedings of the Chamber of Princes and the States' Peoples' Conferences, the Patiala Indictment and the official enquiry into allegations, pp. 471—520.

We beg to express our grateful acknowledgment to Prof. Pramathanath Mukhopadhyaya, the late Editor, the "Servant", Calcutta for his very kindly writing down the introductory portion of this volume. He has also consented to continue in the next volume.

# THE INDIAN ANNUAL REGISTER

Jan.-June 1930.

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# INDIA IN HOME POLITY

Jan.-June 1930.



# Chronicle of Events

January 1930.

**Chief events.**—British Press stiffening in its attitude owing to Congress Independence resolution—Withdrawal of Congress Party from the Councils—The Assembly deadlock—Viceroy's threatening attitude in his Assembly speech—Suppressions of processions and public meetings under section 144—Impressive celebration of Independence Day.

**1st. Indian National Congress**—Pt. Jawaharlal Nehru, the President, closed the 1929 session of the Congress at Lahore by declaring Independence as the creed of the Congress. He said—"India's cry for independence has already resounded in all parts of the world and has enabled overseas Indians to raise their heads high. The history of the world taught that it was not the flock of sheep that won freedom but bands of disciplined and determined men." He also moved that the free India would repudiate all national debts incurred by the present imperialistic Government if they are found unjust on enquiry.

*Split in the Congress Camp*—After the conclusion of the Congress the first meeting of the All-India Congress Committee for the year 1930 was held for the principal purpose of appointing the Working Committee for the new year. There was split over the procedure adopted by the President in electing members and this gave rise to the formation of a new party in the Congress camp called the "The Congress Democratic Party." The members of this party who walked out, in the course of a statement explaining their conduct, said that the step taken by Mahatma (Gandhi in moving the list of ten members "en bloc" and the President's action in shutting out amendments to the names proposed were against Article 24 of the Constitution of the Congress—Pandit Jawaharlal contradicted the allegations and pointed out the wisdom of not electing members from the group which had voted against Mahatma's Independence Resolution as that would create a deadlock in the Executive of the Congress.

**2nd. Journalists' Conference** held at Lahore under the presidentship of Mr. Abdulla Brelvi—Important resolutions concerning the future of journalism and the welfare of journalists were passed.

*The new Working Committee* of the Congress held its first sitting and passed a resolution fixing Sunday, the 26th of January, 1930, for a countrywide demonstration supporting the Congress creed,—the creed of "Purna Swarajya" or Complete Independence. Meetings will be held all over the country on that date and Congress members present will take upon themselves the glorious task of preaching the Congress programme to the masses.

*Abstention from Councils*.—The President of the Congress issued an appeal requesting members of the Assembly, the Provincial Councils and Government Committees to resign forthwith from these bodies. He also trusted that members, who went in on other than Congress tickets, but approved of its decision and the programme laid down by it, will do likewise.

*Nationalist Moslem Party's Appeals* :—Maulana Abul Kalam Azad and Dr. Ansari, being authorised by the Nationalist Moslem Party, issued an appeal in the course of which they said: "We have no doubt in our own mind that Mussalmans owe it to their Motherland to respond to the historic call of the Congress and join it with cheerful determination to see the National struggle through."

A Conference of Nationalist Muslims held under the presidentship of Mr. Afzal Haq at Lahore called upon Mussalmans generally and the section of them who made their co-operation with the Congress conditional upon the independence creed being accepted, to join the Congress in large numbers and take part in the struggle for national freedom.

**3rd. Pandit Motilal's Bugle Call** :—In obedience to the Lahore Congress resolution regarding boycott of legislatures Pandit Motilal Nehru, the Leader of the Congress Party in the Assembly, addressed letters to individual members to resign their seats

immediately. He pointed out that the Congress members were bound by the very pledge which they had signed at the time of seeking election to vacate their seats in the legislatures when called upon to do so.

*The Shipping Conference* attended by representatives of the principal companies engaged in the coastal trade in India, was opened at New Delhi by His Excellency the Viceroy. The Conference was held within closed doors, and the Press was not allowed admission.

*Bengal Landholders Demands*.—A Conference of the Landholders of Bengal and Assam was held in Calcutta. Maharij Sirs Chandra Nandy of Cossimbazar presiding. Resolutions were adopted condemning the Delhi bomb outrage, welcoming the Viceroy's Announcement of a Round Table Conference and urging that the landholding interest should be adequately and separately represented in the Conference in the framing of the future constitution of India.

- 4th. *Earl Russell's Filibusters*.—Earl Russell Under-Secretary for India, speaking at a Labour Party meeting at Cambridge referred to the situation in India and stated that none knew better than Indians themselves how very foolish it was to talk of complete independence. He said that Dominion Status was not possible at the moment and would not be for a long time. Great Britain had been guiding India along the road towards democracy and to let her go suddenly would be calamity for India. The Labour Party would not allow themselves to be turned aside from their objective by foolish resolutions or other forms of propaganda. They were perfectly honest in saying that their objective was the self-Government of India. For that they were working but they were hindered by these foolish resolutions.—This speech was subsequently contradicted by the Noble Earl, but it did not convince the Indian politicians.

*Death of Mr. Mahkarul Haq*.—Mr. Haq was a prominent Congress leader during the Non-Co-operation days. He abandoned his practice as Barrister in the Non-Co-operation days and had been leading a retired life.

- 5th. *Munshiganj Satyagraha*.—Satyagraha at the temple of Kali at Munshiganj commenced since 30th August 1929. The Satyagrahis were up till now daily sitting at the temple gate with offerings for the deity and the gate was kept closed during the whole day and nobody was allowed to enter the compound.

- 6th. *National Flag Hoisting*.—Pandit Jawaharlal Nehru, President of the Congress issued the following appeal:—"The Congress Working Committee has fixed Sunday 26th. January for a country-wide celebration for the adoption of complete independence or "Purna Swarajya" as its immediate objective by the Congress. It should be remembered that 26th January is the last Sunday of the month, that is to say, the day on which the National Flag is hoisted at 8 in the morning. I would suggest that the Flag should be unfurled as usual at this time. Later in the day there should be processions and a public meeting should be held at five in the evening under the National Flag.

- 7th. *Indian Independence in U. S. A. Senate*.—Senator Blaine of Wisconsin moved a resolution on this day for recognition by the United States of Indian Independence. Senator Blaine's resolution, in the final form, runs as follows:—"Whereas the people of India are spontaneously moving towards the adoption of Self-Government under the constitutional form with popular approval and seeking National Independence, therefore be it resolved that the Senate of the United States, mindful of the struggle for independence that gave birth to our Republic, participates with the people with deep interest that they feel for the success of the people of India in their struggle for liberty and independence, and be it further resolved that the Senate of the United States pledges its constitutional support to the President of the United States whenever he may deem it proper to recognize the sovereignty and independence of India and recommends an early recognition."

- 8th. *Bandavilla Satyagraha*.—A campaign against the establishment of Union Boards in Bandavilla Union in the district of Jessore had been going on for about six months. The campaign was first initiated by the Bandavilla Congress Committee and the Secretary of that Committee, Sj. Bijay Chandra Ray took the lead in the matter. The reason why the people opposed the formation of the Union Boards was the enhanced taxation which followed the establishment of Boards. The people refused to pay the taxes and a no-tax campaign was in full swing. The Government initiated a policy of severe repression and many villa-



gers including some of the important workers were being prosecuted. The movable property of all those who resorted to non-payment was being attached and sometimes stealthily auctioned. Valuable cattle worth forty, fifty and sixty rupees were being sold for paltry sums of money.

*Pandit Motilal's Appeal for Unity* — 'Those who would have a parallel Government institution at once wish to begin at the wrong end. This is not the time for hair-splitting argument. One need of the hour is perfect discipline. I appeal to all Congressmen to rally under the standard of Mahatma Gandhi and like true soldiers implicitly obey the commands of their general'—thus appealed Pandit Motilal Nehru in the course of a long statement.

9th. *Mahatma Preparing Mass Civil Disobedience* — Mahatma Gandhi, in the course of an article in the "Young India" wrote — "Granted a perfectly non-violent atmosphere and a fulfilled constructive programme, I would undertake to lead the Mass Civil Disobedience struggle to a successful issue in the space of a few months." The Mahatma then clearly interpreted the Congress point of view of Dominion Status which meant 'Complete Independence plus voluntary partnership with Britain as it might be with any other nation for mutual good.'

11th. Presiding over the Conference of the graduates of the National University, Mahatma Gandhi declared that National Universities should be the factories for the execution of the Congress programme. He said that students of national Universities should be prepared to give up their literary studies, if necessary, till the attainment of Independence like the students of the Universities of Oxford and Cambridge during the War. Students and professors of national universities were expected to have living faith in Truth and Non-violence. They should not merely believe in them as a policy. They should be ready to lay down their lives in defence of their country and honour, and should believe the predictions of those who said that not a virgin would be left unlooted and not a shop would be left unlooted as soon as the Englishmen left India.

**The Meerut Conspiracy Case** :—The Magistrate framed the following charge against 31 of the accused discharging Choudhuri Dhanamvit Singh :—"That you in and between 1925-29 within and without British India, agreed and conspired together with one another, and with Amn Haider Khan, absconding accused, and persons and bodies mentioned in the list attached and other persons known and unknown and not before the Court, to deprive the King of the Sovereignty of British India and thereby committed an offence punishable under section 121-A, Indian Penal Code, and within cognizance of the Court of Sessions I hereby direct that you should be tried before the Court under the said charge"—It may be recalled that 32 accused, namely, 24 Hindus, 1 Mussalmans, 3 Europeans and one Parsee, who were alleged to be communists, were being tried on a charge of conspiracy for waging war against the King.

*An All-Parties Conference of the Sikhs* was held at Lahore when the following resolutions were passed :—(a) This Conference records with sense of appreciation all the efforts made by Mahatma Gandhi and other leaders during Congress Week at Lahore to meet the Sikh viewpoint and looks with approval the total withdrawal of the Nehru Report. (b) The Conference, however, believing the Congress resolution regarding the Sikhs is still not satisfactory, further resolves that although the Sikhs have never stood in the way of the abolition of communalism in the constitution of the country, in the event of communal solution being found necessary in the future constitution no solution would be acceptable to the Sikhs that does not give them 30 per cent representation in the legislative and administrative bodies of the Punjab and adequate representation in the central and other provincial legislatures. (c) The Conference further resolves that in view of the recent development coupled with the assurance of Mahatma Gandhi about the inclusion of the Sikh colour in the National Flag, that the Sikh people believe that the assurance will shortly be fulfilled."

13th. **Assembly Bomb Case** :—Their Lordships Justice Fforde and Addison pronounced orders in the appeal preferred by Bhagat Singh and B. K. Dutt against their conviction and sentence to transportation for life in what is popularly known as the Assembly Bomb Case, dismissing the same. Delivering the judgment, Mr. Justice Fforde said : "It is no excuse to say that Bhagat Singh and Dutt were sincerely and passionately actuated by a desire to alter the present order of things. We hold that the explosions of the bombs in the Assembly, how-

ever carefully the missiles might have been thrown, were imminently dangerous acts, such as the appellants must be deemed to know, would, in all probability, cause death or at least, such bodily injury as was likely to cause death."

- 14th. *The Call of Youth***—The following resolutions were passed unanimously at a meeting of the Executive Committee of the All-Bengal Youth Association—  
 (a) The All-Bengal Youth Association whole-heartedly supports the Independence Resolution passed in the Lahore Congress and congratulates the leaders on taking a bold lead towards the ever-cherished ideal of the Youth of the Country. (b) The All-Bengal Youth Association further calls upon all the District and other Youth Associations and all youngmen and women of Bengal to be up in earnest to translate the Independence Resolution of the Congress into action and they are furthermore called upon to celebrate the Independence Day on the 26th January, 1930 in conjoint efforts with the various Congress Committees by hoisting National Flags, organising processions, holding meetings and illuminating every house of Bengal in the evening as embodying a National Illumination Day.

**Burma Governor's Stern Warning**—Dealing with the political situation in India and Burma and the question of separation at the dinner of the Trades Association, H. E. Sir Charles Innes observed, that the Government would not tolerate any attempt to give effect to the Congress resolutions for independence and civil disobedience. Outlining the views of the Government on the question of separation, Sir Charles remarked that the more India approximated to self-government the less justification there would be of Burma being included in India merely for reasons of administrative convenience and it could not properly be included in a self-governing India except with its own express consent.

- 16th. *Rangalli Bomb Explosion***—K. P. Bhattacharjee and P. Roy, two young Bengalees who were arrested in connection with the bomb explosion in the Dharmasala in the Rangalli on the 24th of November, 1929 were sentenced to seven years' rigorous imprisonment. The Magistrate held in the course of the judgment that there was enough evidence to show that the bombs were meant for the Special Magistrate's court and the officers connected with the conduct of Lahore Conspiracy Case.

- 17th. *Lord Birkenhead's Fulmination***—In an article full of virility and virulence of abuse, in the "Daily Telegraph," Lord Birkenhead called the Indian vernacular press the most illiterate in the world, and described Mr. Wedgwood Benn as the world's best-known political feather-weight and characterised Earl Russell's statement as the first honest utterance in the present crisis which had not been repudiated or challenged by Mr. Benn.

**The Congress call**—The Working Committee of the Indian National Congress issued a comprehensive resolution for adoption at meetings to be held all over India on Sunday, the 26th. January, the Purna Swarajya Day. It was the mandate of the head of the Congress executive that the resolution must be read at the meetings in the language of the people concerned.

**Ill-treatment of Lahore Prisoners**—Fifteen accused in the Lahore conspiracy case, with the exception of Bhagat Singh, Batukeshwar Dutt and Kundalal, filed a petition in the Special Magistrate's Court praying that they may be released on bail for the following reasons—(1) the petitioners are deprived of proper opportunities of defence as attorneys are not allowed to see them in the court or jail; (2) their complaints in respect of bad treatment are not attended to by the Magistrate, (3) they are punished by the jail authorities for matters occurring in court: one accused was punished by the superintendent of the jail for contempt of court.

**Women's Education**—The first meeting of the All India Women's Education fund Association held at Bombay under the presidency of Lady Irwin resolved to take immediate steps to carry out the proposal for the establishment of a central college for training kindergarten secondary teachers and requested the Association to allot money for the purpose. The meeting was attended by Mrs. Sarojini Naidu, Mrs. Ambalal Sarabhai, Ramee Inderkaran and others.

**The Liberals at Bombay** put their heads to devise suitable propaganda to popularise the Madras resolutions and to pool together opinion in favour of Dominion Status. They announced the organisation of an All Parties Convention to solve the Hindu-Muslim problem.

**18th. Hindu Mahasabha's Resolution**—The Hindu Mahasabha Working Committee met at New Delhi attended by Pandit Madan Mohan Malaviya, Raja Nandra Nath, Mr. Gokulehand Narang, Dr. B. S. Moonjee and Mr. N. C. Kelkar and passed the following resolutions—"The Hindu Mahasabha welcomes the announcement of the intention of the British Government to hold a Round Table Conference of the representatives of British India and of the Indian States to discuss the future constitution of India. The Sabha is of opinion that the country will not be satisfied with anything less than immediate grant of Dominion Status and the Sabha hopes to be able to offer its co-operation to the Government at the proposed Conference to settle the principles of a Dominion Government constitution, suitable to the needs of India. At the same time the Sabha hopes that the Government will take such measures as are necessary to create a satisfactory atmosphere for the success of the Conference."

**P. Muslims' Opposition to Independence**—The U. P. Moslem League and Muslim members of the Council issued the following statement—"We are in fundamental disagreement with the resolution of independence passed by the Indian National Congress. We are strongly of opinion that the resolution is dangerous. Our community will take no part in any action by the Congress to effectuate its demands. We have no objections to taking part in any conference which may be summoned for a settlement of the communal problem in response to the appeal of the Indian National Liberal Federation meeting at Madras, provided the members chosen for the Conference represent our views and sentiments and the resolution passed at the All-Parties Muslim Conference in Delhi on 1st. January, 1929, is prominently kept in view by the parties who participate in such a conference."

**Postponement of Resignation**—A Conference of the members of the Assembly and the Council of State of all parties met in New Delhi under Pandit Madan Mohan Malaviya and adopted the following resolutions:—(a) This joint meeting of the members of the Nationalist, Congress and other parties in the Central Legislature holds that the boycott of legislatures, particularly at this juncture, is calculated to cause a great injury to the national interests. Consequently, it appeals to all those members of the Central as well as the Provincial legislatures who have not been elected on the Congress ticket not to resign their seats in the legislatures and it makes a special appeal to the members elected on that ticket not to resign their seats till the end of the ensuing session in view of the fact that there is not sufficient time for bye-elections being held to fill their seats and to safeguard the interests of their electors. (b) In case however of those Congress members who think it proper to resign forthwith, this meeting appeals to them to stand for re-election and also strongly appeals to their constituents and the public to support their candidatures and to allow them to be re-elected without opposition if possible.

**19th. The Call of Youth**—The following resolutions regarding the celebration of the Independence Day was adopted at a meeting of the Working Committee of the All-Bengal Students' Association—"That the Independence Day be celebrated all over Bengal by the students of Bengal and that the following programme be adopted for the purpose of celebration.—(1) All students' organisations be asked to hoist a National Flag in their respective office buildings at the time appointed by the Indian National Congress; (2) That Independence Day flags with the name of the A. B. S. A. and a suitable motto inscribed on them be distributed freely and the students be asked to attend their classes on the following day by wearing the badges; (3) That a procession of the students starting from the A. B. S. A. office will parade the main streets of Calcutta and join the 'Independence Day' meeting of the National Congress".

**20th. President Patel's bold stand**—Due to the Government's flouting the authority of the Chair, President Patel took a bold stand in clearing the galleries of police and visitors before commencing the business of the day. He said that the posting of the police in the galleries and precincts was a deliberate defiance of the President's orders on the Crerar Committee Report.

**Warning to the Liberals**—In connection with the reported intention of Liberals to seek a communal settlement through an All-Parties' Conference, Dr. Moonjee, the President of the Mahasabha said in the course of a statement:—"The Liberals seem to aspire to tread where even the National Congress, with all its prestige and popular support, has failed to succeed—I mean a solution of the

political and communal difference on the principle of pacts and concessions. I appeal to the Liberals in the name of peace and harmony, to desist from their perilous path."

**21st President Patel's Apologia**.—President Patel made a lengthy statement discussing the situation which had arisen as a result of the Congress resolution on Council boycott and declared that he ceased to be a party man with his acceptance of the Speakership and owed it to the House to continue to regard himself as a non-party man.

**22nd. C. P. Council** Mr. Pradhan's resolution recommending to the Government to grant amnesty to all persons convicted of political or communal offences in the province carried against Government opposition.

**23rd Bengal Congress Leaders' Case**—Mr. Subash Chandra Bose, Mr. Kuan Shankar Roy, Dr. J. M. Das Gupta and nine other prominent Congressmen who were charged with sedition and conspiracy, were sentenced to one year's rigorous imprisonment. It may be remembered that the leaders led a procession with placards bearing matters like "Long Live Revolution," "Down with Imperialism" etc on the Political Sufferers' Day in August 1929. Bail was refused to them as they refused to give an undertaking not to participate either directly or indirectly in any meeting.

**Satyagraha in Maha State**—The peasants of this place launched Satyagraha protesting against the harassment on account of the system of forced labour which was rampant there and against the free supply of milk, cowdung cakes, fodder etc., to the State and the imposition of certain taxes which the farmers considered to be excessive and illegal. Severe repressive measures were being taken by the State, several conflicts occurring between the farmers and the State Police. The property of the farmers were being attached and several arrests made. Mahatma Gandhi having given his approval to Satyagraha campaign, the Kathiawar Satyagraha Dal took up the cause of the farmers and batches of volunteers were despatched to the village. The Durbar, seeing that the campaign was gaining ground and that the farmers were firm, started negotiations with the leaders with the result that a settlement was effected.

**25th. Viceroy's Assembly Speech**.—Referring to the Congress resolution on Independence and Civil Disobedience, Lord Irwin said:—"It remains my firm desire as it is of His Majesty's Government, following the recently professed wish of the British House of Commons, to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding a solution of the present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full, the responsibility resting upon myself and upon my Government for the effective maintenance of the authority of law."

**Nationalist Manifesto on the Viceroy's speech**.—The Nationalist Party of the Assembly issued the following statement:—"After the speech of the Viceroy we feel that the general effect of Viceroy's statement will be to create an impression that Dominion Status is a distant goal for India and has to be reached by a long journey. It is unfortunate that in this connection the Viceroy stresses the distinction between journey and its end. We think that the supreme need of the hour was a statement creating a better atmosphere for the Round Table Conference, strengthening hope for the achievement of Dominion Status at the earliest moment. We hold the view that in the early establishment of Dominion Status lies the solution of the present difficulties. A policy of repression at this juncture will be very annoying. It will aggravate what it is intended to cure."

**Kakori Sharajatra Case**:—Sj Manindra Narain Roy, sub-editor of the "Search Light" and Sj. Nirmal Chandra Guha Burman, proprietor of the Devenham Press, were sentenced to two years' rigorous imprisonment each under section 124 A. I. P. C. at Calcutta. The conviction was in connection with the publication of a book headed "Kakori Sarajatra" which was published from the Devenham Press.

**Muslim Non-participation on Independence Day**:—Maulanas Mahomed Ali, Shaikat Ali, Shafi Daoodi and Nawab Ismail Khan in a statement urged Mussalmans not to participate in the Independence demonstration of the Congress as, they said, the Congress leaders did not make any effort to arrive at any settlement on the Hindu-Muslim question.

**26th. The Independence Day Celebration**—Pandit Jawaharlal Nehru, Congress President, issued the following statement to the press:—"Reports from all over the country show how magnificently the Independence Day has been celebrated by all classes. And I must respectfully congratulate the nation on the success of the solemn and orderly demonstrations. Towns and villages vied with each other in showing their enthusiastic adherence to independence. In the great cities led by Calcutta and Bombay scores of thousands met and took the great resolve and in the country-side thousands of villages assembled at numerous village-meetings. In Lahore the Congress spoke on behalf of the nation and proclaimed Independence as our immediate objective. On the Independence Day it was the nation itself that spoke India herself with a million voices taking the pledge of Independence and the resolve to sever the British connection which had ruined her in so many ways. The pledge has been taken, the flag of freedom has been hoisted. Let no one who has taken that pledge forget it or weaken in his resolve and let no one do anything which may bring dishonour to the National Flag. In the midst of these national rejoicings I have read with pain and surprise of the slight disturbance that marred the great Bombay demonstration. I do not know all the facts and therefore I hesitate to draw any conclusion or to say much. But I cannot permit any attempt to dishonour the National Flag by whosoever committed to pass unnoticed. There is and should be no rivalry between our National Tri-colour Flag and the Workers' Red Flag. I honour and respect the blood and suffering of the workers. And our Tri-colour Flag, it it stands for anything, stands for the freedom of the masses of India from exploitation. To-day it is the symbol of Independence, the outer emblem of the yearning in our hearts the sight of which floating bravely and proudly against the blue Indian sky fills us with gladness and gives us strength and hope to go forward and win. We shall tolerate no dishonour to that Flag from any country or from any individual whether he is an Indian or a foreigner. We shall protect it and defend it with full determination with the last ounce of strength and energy in us. And those that may attack it and seek to dishonour it shall be none of us and with them we shall have nothing in common".

*The Dacca Riot.*—A communal riot occurred at Dacca on the Independence day when a National Flag procession organised by the local Congress leaders came near the Narindia mosque shouting 'Bande Mataram' at which some Mahomedans came out from the mosque and took the processionists to task for disturbing them when saying their prayer. Soon Hindus and Mahomedans came to blows and some men belonging to both parties sustained injuries. The rioters, it was alleged, entered the mosque, tore the Koran and set fire to some articles. A printing press belonging to a Mahomedan gentleman of the locality was also attacked. Some Mahomedans of the locality attacked a Hindu house, but dispersed at the sight of armed police. Almost simultaneously with the disturbances in Narindia stray cases of assault took place in different parts of the city. Cases of murderous assaults and loot continued till the next six days after which the situation was brought under control by the efforts of a Peace Committee composed of local influential Hindus and Mussalmans.

**27th. Madras Council**—Resolution moved and adopted welcoming the Viceroy's announcement and rejecting Mr. Saldanha's innocuous amendment in which he supported the Delhi Leaders' Manifesto.

**28th. Legislative Assembly**—The House passed Mr. Jayakar's resolution urging Government "to revive the competitive examination for recruitment to the I. M. S. which had been held in abeyance for 14 years, and hold it annually simultaneously in India and England and make it obligatory for the entrants to the examination in India to hold a medical qualification registerable in India."—It may be mentioned in this connection that two Indians were at this time appointed as heads of the Calcutta Medical College and Campbell Medical School for the first time.

*Lahore Conspiracy case*:—Accused Bhagat Singh handed a long letter to the Magistrate, requesting him to convey it to the Home Member, Government of India. He read only the concluding portion of that letter and said that if the Government did not give them a satisfactory reply and redeem the promises made by them within seven days of the receipt of their letter, they would resort to hunger-strike again.

**28th. *New Party in Assam*** —At a meeting of the moderate leaders of the Assam Valley, at which Rai Rahadur K L Barua was present, the Assam Nationalist Party was formed with the object of attaining full responsible Government in the province and elevating the status of India to that of a self-governing Dominion within the Empire in the immediate future. The party will not co-operate or work with other parties or groups to bring about severance of British connection and isolate India from the rest of the Empire. They were in favour of participation in the proposed Round-Table Conference.

**29th. *The Council of the Western India Liberal Association*** at Bombay asserted that Liberals were convinced that the only way to produce contentment and tranquillity in the country was to establish Dominion Status as early as possible. Repression would not meet the situation but only aggravate it.

***Amnesty to Political Prisoners*** —The Government policy on the question of amnesty to political prisoners was explained by Sir James Craik in the Assembly. He said the Government found it difficult to appreciate how it could be expected that the Government should consider any action in the conditions that unfortunately at present prevailed, namely, the existence of an active movement for the attainment of independence, threats of civil disobedience on a large scale and numerous incitements addressed for the most part to young men and intended to convey to their minds ideas of violent action and revolution.

**30th. *Mahatma's 11 Points*** —“His Excellency the Viceroy deserves the thanks of every Congressman for having cleared the atmosphere and let us know exactly where we stand,” wrote M. Gandhi in “Young India,” commenting on the Viceroy's address to the Assembly. Proceeding, the Mahatma made to Lord Irwin the following offer that he had made to Lord Reading. —“(1) Total prohibition; (2) Reduction of the Ratio to 1s. 4d., (3) Reduction of land revenue by at least 50 per cent and making it subject to legislative control, (4) Abolition of the salt tax; (5) Reduction of the Military expenditure by at least 50 per cent; (6) Reduction of the salaries of the highest grade service to one half or less so as to suit the reduced revenue; (7) Protective tariff for foreign cloth; (8) Passage of the Coastal Traffic Reservation Bill, (9) Discharge of all political prisoners save those condemned for murder, withdrawal of all political prosecutions and abrogation of Section 124-A, Regulation III of 1818 and the like and permission to all Indian exiles to return; (10) Abolition of the C. I. D. or its popular control, (11) Issue of licenses to use fire-arms for self-defence, subject to popular control. This is, by no means an exhaustive list of the pressing needs. But let the Viceroy satisfy these very simple, but vital needs of India. He will then hear no talk of Civil Disobedience and the Congress will heartily participate in any Conference where there is a perfect freedom of expression and demand.”

## February 1930.

**Chief events :—**Labour unrest in Bombay—Liberal cry for Dominion Status and Liberal warning to Government on the dire consequences of repression—All-India preparation for Civil Disobedience—Mahatma Authorised Dictator—Settlement of Assembly impasse.

**1st. *Labour Unrest*** —The Workers of the Royal Indian Dockyard, Bombay downed their tools as a protest against the “Palli System” which was recently introduced. Under this system during the season when the pressure of work was less heavy, working hands were temporarily discharged to be taken back with the return of the normal season.

**2nd. *Passing away of His Highness Sir Lakhtaraj***, Thakor Sahib of Rajkot. He was an enlightened and progressive ruler in Kathiawar and the first to open a People's Assembly in 1923. A man of multifarious activities he endeared himself to all and took a personal interest for the moral and material uplift of his subjects in various directions.

*Benares Police Raid* —Searches were made in connection with the leaflet "Philosophy of the Bomb" issued by the Hindustan Socialist Republican Society. The places searched numbered eleven, and were mostly those belonging to the members of the Benares Youth League. No arrests were made.

**3rd. *The Princes and British India*** —"The Indian States can have nothing to do with the creed of Independence," said the Maharaja of Patiala at a Durbar in his State and declared that the Princes would co-operate with the British Government in whatever repressive measures it might wish to take.

**4th. *G. I. P. Railway Strike*** —The threatened strike on the G. I. P. Railway commenced. It was estimated that nearly 20,000 men were out in Bombay and the suburbs up to Kurla. At Nagpur the strikers numbered about 2,000. The strike was not confined to Indians alone as in Bombay a large number of Chinese workers downed tools with their Indian brethren.

*Allahabad Women's Conference* —Mrs. Sarojini Naidu presiding, the Conference adopted numerous resolutions, one of which recorded support to the Sarda Child Marriage Act and condemned all agitation against it. The Conference was of opinion that if any services were organised to supervise the enforcement of the Act it must exclusively consist of women as any other agency was bound to prove ineffective and would entail hardship and lead to much irritation. Most of the other resolutions related to the question of education of women.

**5th. *The Council of the Western India Liberal Federation*** passed a resolution to the effect that "the only rallying cry which can unite the different communities and classes can be Dominion Status for India, not as a distant goal or ideal, but as an object capable of achievement within the shortest possible time." —The meeting was captured by a hostile audience, mostly consisting of students, whose deafening shouts of "Down with Liberalism" and "Up with Independence," gave no chance to Sir Phiroze Sethna, the President to make himself heard, who subsequently left the meeting with his party. The youths then held their own meeting and passed a resolution declaring independence as the immediate objective of India.

**6th. *Mahatma on Repudiation of Debts*** :—"It is not difficult to understand the resentment felt in England over the demands nor the hysterics of Sir Malcolm Hailey over the idea of repudiating the debts in any circumstance whatsoever," wrote Mahatma Gandhi in the "Young India." "Yet that is precisely what every ward when he comes of age has a right to do, if he finds his trustee having buttered his own bread at the ward's expense. He wants the trustee to pay for his mal-practices or misappropriation or breach of trust or whatever other name by which his selfishness may be described. There will thus be no atmosphere for a dispassionate examination of the case of the dumb masses either in India or in England till Englishmen realise that they must part with some of the ill-gotten gains and cease in the future to expect an inflow to England of the millions that are annually drained from India under one pretext or another."

*A Conference of the landholders of the United Provinces at Lucknow* condemned the spirit of revolution and communism gradually creeping into the country from outside. It strongly deprecated the adoption of the Independence creed by the Congress and "its inimical attitude and propaganda against property and capital."

**7th. *The Viceroy at the Lucknow Durbar*** :—"Prosperity is in store for India if she remains satisfied with being in that position which she occupies to-day in the British Empire while independence will bring for her irreparable misfortune and disaster." This was the burden of the sermon that the Viceroy delivered at the Durbar.

**9th. *Students' Day Celebration in Calcutta*** :—"Pulsation of a new awakening among the students of Calcutta was clearly discernible in the way they observed the Students' Day. "The student movement aspires to create," as the Secretary of the All-Bengal Students' Day Celebration Sub-committee put it, "a new India—a modern India free from the moral stupor under which she is suffering, her irremediable conservatism and aversion to progress."

**11th. *The Central Sikh Association under S. Raghubir Singh at Amritsar*** passed resolutions congratulating the Viceroy on the miraculous escape from the bomb and reiterating its conviction that the use of violence will not only create an atmosphere

of suspicion and distrust but will considerably retard the development of a Dominion Government in India, congratulating Sardar Shivdev Singh Uberoi in getting the claims of the Sikh community recognised and embodied in the majority report of the Central Committee, demanding adequate representation for the Sikhs on the Round Table Conference keeping in view their military, historical and social importance.

**12th. *Liberal Warning to Government***—Interviewed by a Associated Press representative at Karachi, Sir Chimanlal Setalvad gave an impressive warning to Britain. He said: "The only way to retrieve the position is for Britain to take courage in both her hands, and take a really big step not minding the risk that every big thing naturally involves. The course is clear before her either to allow India to be a Dominion and attach her firmly to the Empire, or to find the whole of the new generation reared up in a atmosphere of hate to the British and to attempt to govern a nation of 320 millions imbued with hostility."

**14th. *Bedeviled Indian Chambers of Commerce***—Mr. (I. D) Bula's thought-provoking utterance on the gravely disturbing national economics of India which showed that India was sinking deeper and deeper into a condition of financial embarrassment verging on insolvency.

**15th. *Mahatma authorised Dictator***—Momentous step taken by the Congress Working Committee at Ahmedabad when it decided to launch Civil Disobedience to reach that goal. The resolution authorised Mahatma Gandhi and others believing in non-violence as an article of faith to start Civil Disobedience as and when they decide. The Working Committee expected that when the campaign would be actually launched all Congressmen and others would extend to the civil resisters their full co-operation in every possible way and observe complete non-violence.

**19th. *Sir Malcolm's Threat*** :—"If the extreme wing started Civil Disobedience the Government would use every legal means to defeat it and in the event of legal resources proving insufficient the Government hoped that it would receive the support of the public and the Council in securing such fresh legal provision as was required."—This was the threat that Sir Malcolm Hailey, Governor of the United Provinces held in course of his address to the Council.

*Council of State*—Sir Sankaran Nair's resolution welcoming the Viceregal Announcement and proposing a scheme of Dominion Government with proper statutory safeguards carried unanimously.

**20th. *The Mahatma's last throw*** :—"The resolution of the Working Committee gives me my charter of freedom, if it also binds me in the tightest of chains. It is the formula which I have been in search of these long and weary months. For me the resolution is not so much political as a religious effort,—wrote Mahatma Gandhi in "Young India." "My difficulty was fundamental. I saw I could not work out Ahimsa through an organisation holding a variety of mentalities. It could not be a subject of decision by majorities. The instinct of those with whom non-violence is a policy, when tempted by violence, may fail them; that of those who have no remedy but non-violence open to them can never fail them, if they have non-violence in them in reality. Hence the necessity of freedom from Congress control. And I was thankful that the Members of the Working Committee saw the utter correctness of my position .... The responsibility devolving on me is the greatest I have ever undertaken. It was irresistible, but all will be well if it is Ahimsa that is guiding me. My civil disobedience is sometimes the peremptory demand of love. Dangerous it undoubtedly is, but no more than the encircling violence. The danger lies in one direction—in the outbreak of violence side by side with civil disobedience. If it does, I know no way. Not retracing as at the time of Bardoli, the struggle in freedom's battle of non-violence against violence, no matter from what quarter the latter comes, must continue till a single representative is left alive. More no man can do. To do less would be tantamount to want of faith."

**Settlement of the Assembly Impasse** :—The President read out a message from the Viceroy communicating the Government's decision regarding the watch and ward of the galleries. A senior police officer would be deputed to the service of the Assembly and would be responsible to the President for regulating all matters relating to protection within the inner precincts. The police officer would have his own staff who would be subject to the control of the President.—President Patel accepted it on behalf of the House as the proposed convention adequately provided for the exercise of authority by the Chair.



The hunger-strike by the Lahore conspiracy case accused terminated when they took meals after 17 days. The reason for terminating the strike was stated to be the arriving at a decision by the Government of India on the recommendations of the Jails Committee embodied in their recent communique.

- 23rd. Punjab Governor's Rhetorical Outburst**—Speaking at the European Association Dinner at Lahore the Governor of the Punjab said that he need not dwell at length on the recent events in India, namely, the Congress and the Independence Day. Knowing Punjab as he did he would "gravely err if I attached too much importance to these bulletins as far as this province is concerned. I know also the true value which all reasonable opinion in the Punjab attaches to them but again I should equally err if I and my Government neglected to take steps to safeguard the province against the molasses—dangerous to its peace, progress and prosperity—to which the "will-o-the-wisp" of the independence propagandist seek to lure the ignorant, unwary, credulous misguided and immature."

**Non-Brahmin Congress**—The All-India Non-Brahmin Congress Committee under Sir A. P. Patil at Bombay criticised the Congress decision as dangerous to the highest interest of the country and passed resolutions supporting the Viceroy's announcement and expressing readiness to co-operate with the Government and all other parties in making the Round Table Conference a success.

**Bombay Government's Tribute to Mahatma**—In a press note on the Bombay textile industry, the Government of Bombay paid a striking tribute to the influence of Mahatma Gandhi in maintaining cordial relations between the mill-owners and the employees in the Ahmedabad Mills. The Trade Union in that area was functioning very satisfactorily, thanks to Mahatma Gandhi and Sheth Mangaldas and the prosperity of the Ahmedabad industry was not a little due to the absence of friction between capital and labour. In Bombay, the Government deplored, there was no equivalent to the Mahatma.

- 24th. Assembly galleries opened**—After 33 days' gloom, the galleries of the Assembly looked cheerful again with a number of visitors. Mr. Bakhtawar Ali, Assistant Superintendent of Police, appointed temporarily as Watch and Ward Officer was looking after the arrangements.

**C. P. Youth Conference**—Presiding over the Conference Mrs. Kamaladevi Chattopadhyaya exhorted the youths to be prepared to sacrifice their lives and property in the battle for Swaraj. A very arduous task lay ahead of them and the time had come when youths should identify themselves with the mass movement, avoiding violence and maintaining strict discipline. Resolutions were moved extending co-operation to the other youth leagues and congratulating Mr. Subash Chandra Bose, Mr. Awari and other political workers on their incarceration.

- 25th. The Chamber of Princes** opened at New Delhi by the Viceroy. This year's session was largely attended, no less than 32 Princes and Chiefs being present. It was the first time since the inauguration of the Chamber when the States of Hyderabad and Mysore were represented by principal State officials.

**Convictions**—Seven prominent Congressmen including Pandit Lingaraj Mista and Pandit Kripasindhu Hota sentenced to various amounts of fine under section 32, Police Act in connection with the Independence Day celebrations. They refused to pay the fines and preferred to go to jail.

- 26th. Unity Conference at Birla House**—There were two noteworthy features of the informal conference which met at Birla House, New Delhi to consider measures for effecting a communal settlement. Firstly, it was of a representative character and represented all except Congressmen. Secondly, the speeches made indicated a burning desire on all sides to utilise this psychological moment to bury misunderstandings and distrust and to formulate a basis for an agreed communal settlement.

- 27th. The Working Committee of the Utkal P. C. C.** passed the following resolutions:—"This Committee resolves that arrangements be made to start civil disobedience in a definite area of Utkal at the earliest opportunity in strict conformity with the rules of discipline laid down by the A. I. C. C. and that Sri Gopabandhu Choudhury be entrusted with the work of preliminary arrangements in that direction. •

**28th. *Claron Call of Freedom***—"A religious war unprecedented in the history of the world would commence within a few days and its beginning will be made in Gujrat. Those who are afraid of death should go to pilgrimage and those who possess riches should go to foreign countries. Those who are true Gujatis should not sit behind closed doors," said Mr. Vallabhbhai Patel addressing a public meeting in Broach.

***Unity in Muslim League Council***—"An important meeting of the Council of the Muslim League was held in New Delhi with Mr. Jinnah in the chair when over 50 persons from both sections of the League were present. It was announced amidst cheers that both the sections of the League had been reunited after their separation two years ago. After this announcement both Mr. Jinnah and Sir. Muhamed Shafi embraced each other. A resolution was passed welcoming the attempts of certain persons to solve the communal question.

## March 1930

**Chief Events :—**The Mahatma's Ultimatum to Viceroy—Mahatma's Last Message and Testament—Mahatma's Historic March—All India Preparations for Civil Disobedience—Pt. Matilal's Princely Gift to the Nation—Assembly Sensation on Tariff Bill

**2nd.** After prayers to-night, Mahatma Gandhi handed over to Mr. Reynolds, an Englishman, his letter to be handed over personally to the Viceroy. Mr. Reynolds left for Delhi the same night. The Mahatma gave thirty six hours' notice to the Viceroy.

**4th. *Mahatma's Ultimatum Served***.—On this morning Mr. Reynolds delivered the Mahatma's ultimatum to His Excellency's Private Secretary who formally acknowledged its receipt.

***Provinces Getting Ready***.—Gujrat under the leadership of Sardar Vallabhbhai Patel was preparing to make the campaign successful like that of Bardoli. He asked the people to non-co-operate with the Government by resigning posts.—The Tamil Nadu Congress Committee authorised Sj. Rajagopal Chariar to enlist volunteers and determine when and in what manner the fight should be started in Madras.—The C. P. Marathi Congress Committee adopted a resolution approving the Mahatma's resolution regarding civil disobedience, authorising a sub-committee to find out the places where civil disobedience was possible in the province and to make all necessary arrangements to carry it on in consultation with the Working Committee.

***Deputation from Landholders***.—The Viceroy at New Delhi received a deputation of the landholding classes led by the Maharaja of Darbhanga who picked upon His Excellency for adequate representation of the landholding classes in the Round Table Conference, the desirability of second chambers in the Province, simultaneously with Dominion Status, special representatives of landholding classes in the lower Houses of Provinces and in the Central Legislatures and further asked that no legislation should be passed which is of the nature of confiscation of property.

***Satyagraha at Nasik***.—About ten thousand untouchables of the Mahar class gathered at Nasik from several places to offer Satyagraha on the issue of temple-entry. The venue of this Satyagraha was the ancient temple of Kalarama. The untouchables were led by Dr. Ambedkar with the active support of several Brahmin reformers who had been carrying on a persistent campaign in their behalf for the last two months.

**5th. *The Mahatma's Announcement***.—Mahatma Gandhi announced to-night at the time of prayer in his "Ashram" that he would start with the first batch of volunteers early in the morning of the 12th instant on foot. He would take with him only the male inmates of the "Ashram," leaving behind the women and such men as were quite necessary. Some one suggested to take with him some four or five women but he said that there would be time enough for the women to offer Satyagraha. It was said that Englishmen would not touch women as far as possible, just as the Hindu would not kill cows. It would be a cowardice for

the Hindus to keep cows in front of them while going on war. Similarly, it would be considered a cowardice to keep women with them

**6th The Mahatma's Ultimatum to Viceroy** — "It is, I know, open to you to frustrate my design by arresting me. I hope that there will be tens of thousand ready in a disciplined manner to take up the work after me and in the act of disobeying the Salt Act, to lay themselves open to penalties of a law that should never have disfigured the Statute Book — Thus the Mahatma concluded the historic letter which he addressed to the Viceroy on the eve of launching the unique campaign of Civil Disobedience and which was released on this day.

**7th Pt. Jawaharlal's Clarion Call** — Pandit Jawaharlal Nehru issued the following message to the Press — "On 12th. March Mahatma Gandhi begins his great march and Satyagraha for Independence commences. The eye of All-India will be upon him on that historic day and the prayers and good wishes of millions of her sons and daughters will follow him and his gallant band. I suggest that all over the country we should celebrate that Great Day by meetings and suitable demonstration by reiterating our pledge of independence and wishing 'God-speed to the Soldiers of Freedom. In particular, I hope that on that day volunteers for Satyagraha will be enrolled everywhere"

**Sardar Patel Arrested** — Sardar Vallabhbhai Patel who had gone to address a public meeting in Ras Village in Borvad Taluk, was served with a notice by the District Magistrate prohibiting him from delivering a speech. The Sardar disobeyed the order of the Magistrate who sentenced him to three months' simple imprisonment and a fine of Rs 500 in default to three weeks' further simple imprisonment — In obedience to an appeal of Mahatma Gandhi the city of Ahmedabad observed complete hartal. The Mills also did not work

**Legislative Assembly** — In India the Executive of the Government understood responsibility in the sense of power and the nation, therefore, felt humiliated because the Legislatures with even elected majorities, had no power and no initiative and the national policies were expressed only to be frustrated by the obstinacy of the Executive. — Thus spoke Mr. Kelkar in moving his censure motion proposing to reduce the demand for the Executive Council.

**8th. Legislative Assembly** — Government's first defeat on a motion of Mr. Abdul Matin Chowdhury proposing to reduce the Army demand to rupee one. Mr. Chowdhury while moving the cut said that the Indian Government stood condemned by their failure to give effect to the policy of Indianisation. Mr. Jinnah asked the Army Secretary to be frank and to tell the truth to the House that the Government of India did not want Indianisation and did not want an Indian Officer to order a British Officer. It was a disgraceful record. Mr. Jinnah continued, that the Government were irresponsible and the Governor-General would certify the cut. But that was the only emphatic manner in which the House could, under the present constitution, censure the Government and expose them to the public eye.

**Gujrat's Vow to follow Vallabhbhai** — As a sequel to Sardar Vallabhbhai's arrest a monster meeting of 75,000 people held at Ahmedabad under the presidency of the Mahatma passed the following resolution in the form of a vow. "We, the citizens of Ahmedabad, determine hereby that we shall go the same path where Vallabhbhai has gone and we shall take full independence while attempting to do so. Without achieving freedom for our country we shall not rest in peace nor will the Government get peace. We solemnly believe that India's emancipation lies in truth and peace." — As a protest to the arrest hartal was observed in all big cities and towns and resolutions adopted congratulating the Sardar on his bold stand in disobeying the order and courting imprisonment.

**9th. Tipperah Dt. Political Conference** — In course of his presidential address S. J. M. Sen Gupta said that India to-day stood at the threshold of a new epoch. "The victim of relentless persecution and oppression the nation had at last awakened from the slumber of ages and has set its heart to asserting its rights." Dealing with the Civil Disobedience campaign, S. J. Sen Gupta said: "From the sacred precincts of Saharnati comes the bugle sound of the Generalissimo commanding the soldiers of freedom to keep themselves in readiness for the great moment. Repression and arrest of Mahatma Gandhi will not kill the movement. For, be it remembered, that the hand that strikes terror into the heart of a slumbering nation provokes it to a bitter conflict when the nation is already awake."

The *Frontier Congress Committee* at Peshawar passed resolutions congratulating Sardar Vallabhbhai Patel on his arrest for civil disobedience and assuring Mahatma Gandhi of their complete support.

9th. The *Shiromani Akali Dal* at Lahore passed a resolution welcoming the "sacred resolve of Mahatma Gandhi to begin a religious war in a non-violent manner" and assuring him the Dal's support by placing at the disposal of the Mahatma the immediate services of 5,000 Akali volunteers and calling upon the Sikhs to do their duty in this "critical hour in history and to muster strong under the banner of Mahatma Gandhi."

10th. The *Punjab Congress Committee* at Lahore adopted a resolution calling upon all District Congress Committees to hold meetings, on the day when Mahatma Gandhi will commence civil disobedience namely March 12, and read the Independence Declaration, the letter of Mahatma Gandhi to the Viceroy and his eleven points.

11th. The *Mahatma's Last Message and Testament*.—Our cause is strong, our means purest and God is with us. There is no defeat for the Satyagrahis till they give up the truth. I pray for the success of the battle which begins to-morrow"—In these words, Mahatma concluded what he termed his last message and testament on the banks of the Sabarmati where thousands had gathered to hear him. The Mahatma exhorted the people of Gujarat to continue the programme of marching to Jalalpur in order to offer Civil Disobedience through the manufacture of salt, even if he and his party were arrested before reaching the destination. From what he heard in the last fifteen days, he was confident that there would be enough volunteers forthcoming in Gujarat. The people of India, he urged, should preserve peace and carry out the instructions of the Working Committee. He laid down only one condition for the people to join what he called the "War of Independence" and that was "absolute non-violence as an article of faith". Otherwise they could carry out his programme in more than one ways. He once again outlined his programme of triple boycott and urged that those, who had courage, could refuse to pay taxes. Alluding to Civil Disobedience through breaking of salt monopoly, Mahatma Gandhi suggested three means to achieve the end. First, by the manufacture of salt wherever it could be done; secondly, to remove salt without paying duty thereupon and thrully, to distribute salt. He also referred to the question of leadership in the country and asked the people to follow the lead of Pandit Jawaharlal. But where no Congress organisation existed, he asked everyone to be his own leader. "Where could be the question of leadership when the riddle of bravery could only be solved by freedom or death?"

12th. The *Mahatma's Historic March*.—"Victory or Death"—with this as motto Mahatma Gandhi started on his Civil Disobedience campaign in the morning at 6-30 with a batch of 79 Satyagrahis. Large crowds assembled along the route, and shouted "Gandhi-ki-Jai." Rumours of the immediate arrest of the Mahatma had caused considerable stir in the city, and people numbering about thousands kept a sort of vigil the whole night outside the Ashram whose gates were guarded by women pickets. The morning saw a huge wave of humanity moving towards the Ashram. By 6, the whole route to the Ashram, and Ellis Bridge was lined by people. Several places on the route also were decorated with flags and leaves. Punctually, at 6-30, after morning prayers, the Mahatma left with a band of 79 volunteers who had a bag of belongings and a staff with each of them. The Mahatma headed the procession, and was followed by others who closed in rows of three each. At several places, and especially at the Ghat Vidyapath, Mahatma Gandhi was offered flowers and coconuts. The processionists rushed through the route with over 500 people running round about, and forded the river Sabarmati at Jamalpur. The Police only maintained order and controlled the traffic.

The Mahatma and his party halted at Aslari on the 12th., at Baraja and Navagam on the 13th., at Wasna on the 14th., at Matar, Nadiad, Borivli and Dabhan on the 15th and arrived at Anand on the 16th. At each of these places he was received with a royal welcome. His appeal for men and money elicited enthusiastic response. Several village officers and police patels resigned their posts. The party took rest at Anand on the 17th.

13th. *Sj. J. M. Sen Gupta Arrested*.—On march 10 the Commissioner of Police

Rangoon, filed a complaint under Section 124-A I. P. C. against S. J. M. Sen-Gupta before the District Magistrate of Rangoon in connection with two speeches delivered at Rangoon of February 20 and 21. A bailable warrant was served on S. J. Sen Gupta on this day and he was arrested in his own residence. On his refusing to offer bail or to give any undertaking he was kept in his house under police guard. There was a spontaneous hutal in the city. Next day S. J. Sen Gupta sailed for Rangoon reaching there on the 17th and was lodged in the Rangoon Jail. A large crowd accorded him a tremendous ovation on his arrival there.

*Replying to the Viceroy in 'Young India'* Mahatma Gandhi wrote—"The Viceroy's letter begs the question and if further justification were needed this stereotyped reply affords it. It was open to the Viceroy to disarm me by freeing the poor man's salt from the tax which costs him five annas per year or nearly three days' income. I do not know of any one excepting the Indians who pays to the State rupees three per year if he earns rupees 360 during that period. On bended knees I asked for bread and I received stone instead. It was open to the Viceroy to do many other things except sending this stereotyped reply. But the time is not yet. He represents the nation that does not easily relent. Entreaty never convinces it. It readily listens to physical force. It can witness with hated breath a boxing match. It can go mad over a football match in which there may be broken bones. It goes into ecstasies over blood-curdling accounts of the war. It will listen also to mute restless suffering. It will not part with millions it annually drains from India in reply to any argument, however convincing. The Viceregal reply does not surprise me. But I know that the salt tax has to go and many other things with it if my letter means what it says. Time alone can show how much of it was meant. The reply says that I "contemplate a course of action which is clearly bound to involve violation of law and danger to public peace." In spite of the forest of books containing rules and regulations, the only law that the nation knows is the will of the British administrators. The only public peace the nation knows is the peace of the public prison. India is one vast prison house. I repudiate this law and regard it as my sacred duty to break the mournful monotony of compulsory peace that is choking the heart of the nation for want of free vent."

**15th. The Sind Youth Conference:**—"Mahatma Gandhi has challenged the British Government with the invincible Army, Navy and Air forces. He will triumph over Britain's armies. India was bound to be free and they were determined to end her bondage," said Dr. Kitchlew while delivering his presidential speech at the Conference. Dr. Kitchlew hoped that Muslims of Sind will join with their Hindu brethren in the national fight for freedom shaking off all communalistic feelings and said that in politics they were all Indians. This was, he held, their final fight and he was sure all Indians would lend their support to the Congress in its last struggle for freedom.

**U. P. Congress Committee** at Allahabad appointed a Satyagraha Committee, with a view to facilitating the organisation of Satyagraha in the province and ensuring immediate action being taken whenever occasion arises. The Committee was given the authority to initiate or authorise Satyagraha in any part of the province and to take such steps in furtherance thereof as might be necessary.

**British Medical Council's Threat:**—The following message was sent by Router from London—"The British Medical Journal announces that the executive committee of the General Medical Council has decided to refuse to recognise for the time being the medical degrees of Indian universities. It is pointed out that recognition for some years has been conditional. It now lapses entirely. It is added that the roots of the controversy extend far beyond the immediate point at issue, the factors to be considered including proud and sensitive Indian nationalism instinctively suspicious of British ideals of education and character, also certain Indian customs which limit the opportunities of obstetric instruction and difficulties connected with language and differing standards of civilisation in India. The probable effect on the Indianisation of the Indian Medical service is regarded here as one of the most important aspects of the General Medical Council's decision. It is pointed out that henceforth no Indian will be eligible for a commission, unless he comes to Britain and qualifies for registration here."

**16th. Preparations for Satyagraha** were proceeding apace in all provinces. Under the leadership of Pandit Jawaharlal, U. P. was marshalling her forces. Andhra

entrusted the sole command of her Satyagraha forces to Sj. Konda Venkatappaya. Mr. K. P. Nariman, the idol of Young Bombay, went to Nadiad to seek instructions from Mahatma about the plan of Satyagraha to be followed in Bombay. In Bengal a strong sub-committee of the B. P. C. C. was formed with Sj. Satis Chandra Das Gupta as President to carry on the Satyagraha campaign.

- 18th** *The Mahatma at Borsail*.—The Mahatma's triumphant march continued with unabated zeal and energy. Though a bit pulled down in health due to the last few days continued journey, and some of the volunteers belonging to his noble band having fallen sick, he was calm and unperturbed and with redoubled faith in the sacredness and ultimate success of his mission was trekking on to the sea coast.

- 19th** *Resignations of village officers and Patels* continued and more were resigning at the places through which the Mahatma was journeying. In their resignations the Patels mentioned that when the Indian National Congress had declared war against the Government which exploited the economic, physical and moral conditions of the people it was a crime against the country to co-operate with such a Government.

*The Bejar Congress Committee* at Akola accepted the Working Committee's decision relating to the starting of Civil Disobedience and resolved to organise Bejar for Satyagraha and appointed a War Council of eleven members.

*The Ulhal Congress Committee* at Balasore appointed Sj. Gopabandhu Chowdhury as dictator for conducting the Civil Disobedience campaign against the salt monopoly and empowered him to make his own plans and determine the place and time for action.

*The Rangoon Riot—Mr. Sen-Gupta's Trial*.—There was a serious clash at Rangoon between the police and the large crowd which was waiting outside the District Magistrate's court-room when the trial of Mr. J. M. Sen-Gupta on a charge of sedition was proceeding. The police included a number of sergeants and several people on either side were injured. During the disturbance there was exchange of brickbats and the military had to be requisitioned to disperse the crowd. The clash was said to have originated thus. An Indian carrying a banner and leading a procession was alleged to have hit a policeman on duty.

- 21st.** *The A. I. C. C. at Ahmedabad* passed resolution approving the decision of the Working Committee authorising Mahatma Gandhi to initiate and control Civil Disobedience. It authorised the Provincial Congress Committees "to organise and undertake such Civil Disobedience as to them may seem proper and in a manner that may appear to them to be the most suitable." It asked the Provinces to concentrate on the civil breach of the Salt Laws.

- 22nd.** *The Mahatma at Gajira*.—"The fight for Swaraj is a religious fight and there could be no distinction of religion and community in this sacred fight."—Thus Mahatma rebuked the people of Gajira who had arranged for separate seats for the untouchables at a public meeting. Continuing, Mahatma said "If you do not allow the untouchables to mix up with you then rest assured Swaraj will go far away from you."

*Sj. J. M. Sen-Gupta sentenced* to ten days' simple imprisonment at Rangoon. The Magistrate, in course of his self-contradictory judgment, remarked—"The speeches, it is true, were connected in the form of an argument that Burmans should join the Indian Congress Party and forsake the policy of separation but in fact they contained no serious argument against the policy of separation and were nothing but a string of accusations against the Government calculated to discredit it and bring it into hatred . . . It was proved that he might not have intended to attempt to excite disaffection among the audiences he actually addressed as the bulk of his hearers either did not understand the language in which he spoke to them, namely, English, or may have been too juvenile or too far away to have followed his argument."

- 23rd.** *The Gujarat Youth Conference* at Surat under the presidency of Mr. Nariman in a stirring speech appealed to the youths to work for the country's salvation. Mrs. Kamaladevi, Mr. Meherally and Mr. Jhabheri Mehta also spoke. Resolutions appreciating Jatin's self-immolation, deciding to follow Sardar Vallabhbhai to achieve Purna Swaraj and calling upon the youths of Gujarat to join the struggle were passed.

**25th. National Workers of Punjab** at a meeting at Lahore passed the following resolution.—“This meeting of the national workers of the Punjab congratulates Mr. Gandhi on his non-violent struggle and endorses the All-India Congress Committee's decision regarding civil disobedience. That the members present offer their services in the cause of freedom and assure the Working Committee of the Provincial Congress Committee that no effort should be spared to make its programme of civil disobedience a success. That the meeting recommends to the Provincial Working Committee consisting of seven persons to conduct civil disobedience in the province and the committee will elect its president and fill up the vacancies caused by arrests.”

**26th. The Mahatma on Moslem Support**—Addressing a public meeting at Broach Mahatma Gandhi said that a Satyagrahi would fight in the name of God. He, however, regretted that Moulana Shaikat Ali was not with him. It was evident that the interest of the Mahomedans in the present struggle was no less keen than that of the other communities. The Moslems “en masse” were with him.—At Tralsa a large number of Mahomedans saw the Mahatma and requested him to pass through their village to which he readily agreed.—At a public meeting at Derol which was largely attended by Mahomedans he spoke on the inequity of Salt Tax and asked one and all, irrespective of caste and creed, to join him in his fight against it.—In an inspiring speech delivered just before leaving Broach, Mahatma Gandhi told his audience that he had now gained self-confidence to carry on the civil disobedience campaign. He appealed to every Hindu, Mahomedan and even Englishman to help him.

*The Bengal Satyagrahis' March*—Amidst scenes of great enthusiasm the first batch of 33 Satyagrahi volunteers under the leadership of Dr. Suresh Chandra Banerjee left Bunkua Satyagraha Camp for Contai to manufacture salt and offer Satyagraha.

**28th. Pt Motilal's gift to the Nation**—Pandit Motilal Nehru addressed a letter to the President of the Congress, offering his old house “Anand Bhavan” to the nation. To the letter was attached a note in which, it was stated, that the house stood on a site next to the Ashram of Bharadwaj where, in the times of Ramchandia, there was reputed to have been a great University. It was also pointed out that the house was intimately connected with the development of the national movement. Many important meetings of the All-India Congress Committee took place there. The Congress-League scheme of Reforms, which was placed before Mr. Montagu, was framed there. The house was also intimately connected with the Non-Co-operation movement, the Civil Disobedience Committee, the Swaraj Party and the All Parties' Committee.—Pandit Jawaharlal Nehru replied.—“Permit me to offer you my grateful thanks for the generous offer you have made of the old “Anand Bhavan.” It is fitting that this house, which has been associated with the national movement for so many years, should become the property of the nation. It is also in the fitness of things that this dedication to the nation should take place at the auspicious moment when the country is launching on a great national struggle for independence. I am communicating your offer to the members of the Working Committee, and on receipt of their answers I shall write to you. Meanwhile, allow me to express the hope that the old “Anand Bhavan” appropriately renamed “Swaraj Bhavan” will play a worthy part in the struggle for freedom, and will before long see the establishment of Independence in India.

*Sensation in Assembly*—At the conclusion of two hours' moving oration on his amendment to the Tariff Bill, Pandit Malaviya requested the President to give the proper interpretation of fiscal autonomy and, in the light of the Crewe Committee's report, declare whether official and nominated members could take part in the voting of such matters. Pandit Malaviya held that they could not.

**31st. Mr. Patel gave his ruling on the momentous Empire Preference issue** holding that the Chair cannot prevent the official and nominated members from voting but that Sir George Rainy's statement had fettered freedom of speech and vote. He suggested to the Government to reconsider their attitude. Later, Pandit Malaviya's amendment was rejected by 44 against 60 votes and Mr. Shanmukham Chetty's amendment was carried by 62 votes against 42. The Cotton Tariff Bill was thus passed with Mr. Chetty's amendment. 25 Nationalists led by Pandit Malaviya walked out of the Assembly as a protest.

## April 1930

**Chief Events :—**The Mahatma at Journey's End—All India Violation of Salt Act—Arrests and Convictions under Salt Act—Pt. Jawaharlal and S. J. Sen Gupta Sentenced—Disturbances in Peshawar, Calcutta, Poona, Karachi, Madras and Neela leading to lathi charge and firing by Police—The Chittagong Armoury Raid—Rigours of Press Ordinance.

**1st. Appeal to Delhi Moslems** —“It must be with genuine disappointment and sorrow that sincere well-wishers of the country watch so much effort and ingenuity deflected from the practical examination of the concrete constitutional proposals or from constructive work by which the people's lot might really be made more happy, to be expended upon the barren task of devising means to break the laws. It is nothing short of a tragedy that men should constantly be asked to believe that there must be a political typhoon uprooting and destroying many of the features of the country-side before the sun can shine and that the country can reach its rightful destiny only through agony and convulsion in the name of non-violence.”—This reference to the campaign of Civil Disobedience was made by His Excellency the Viceroy to the All-India Hindu Conference at New Delhi.

*The Bengal Criminal Law Amendment Bill* empowering the Government to constitute special tribunals to deal with terrorist organisation passed in the Bengal Council inspite of protests of Liberal and Moslem members.

**Carters' Strike in Calcutta** :—Seven men were killed and eighty injured including several policemen as a result of the strike. The carters adopted the novel way of obstructing the traffic by leaving their carts on the streets and themselves crowding on the footpath in the most congested parts of the city. “Individual firing was ordered by the Police,” said an official, “after due warning on four or five occasions in order to disperse the crowd.” Trouble had been brewing for some time past in connection with the new rules regarding buffalo traffic in Calcutta. Originally the buffalo carts were allowed to carry 45 maunds of goods. Under the new rules they were permitted to carry only 30 maunds and restricted to use their buffaloes between 12 noon and 3 p.m.

**2nd. Pandit Madan Mohan Malaviya**, Leader of the Opposition, in tendering resignation of his seat in the Assembly, wrote an elaborate letter to the Viceroy.

**3rd. The Mahatma at Navsari** :—In course of his speech, Mahatma Gandhi said, “Either I shall return with what I want or my dead body will float in the ocean.” He added that the subjects of the Indian States could offer Civil Disobedience in Salt Laws in British India. The Mahatma then made an appeal to the Parsis of Navsari to give up liquor traffic and exhorted the women to take up the work of total abstinence.

**5th. The Mahatma at journey's end** :—Mahatma Gandhi and the Satyagrahi volunteers reached Dandi on this morning. Interviewed by the “Associated Press” immediately on his arrival, the Mahatma said :—“The 6th April has been to us, since the culmination of Jalianwalabag, a day of penance and purification. We, therefore, commence it with prayer and fasting. I hope the whole of India will observe the national week commencing from to-morrow in the spirit in which it was conceived. I am positive that the greater the dedication to the country's cause and the greater the purification, the speedier will be the glorious end for which millions of India, consciously or unconsciously, are striving.”

**6th. All-India Violation of Salt Act** :—Mahatma Gandhi and his followers broke the Salt Law this morning exactly at 8-30 a.m. by taking a lump of natural salt from a small pit. Thousands of people witnessed the ceremony. Mahatma Gandhi, walking slowly, in grave solemnity, proceeded to the sea-shore with 84 volunteers and others and had a sea-bath at 6 a. m. After a technical breach of the salt law, he issued a statement intimating that everyone who would take the risk of prosecution under the salt laws could manufacture salt wherever he wished and wherever it was convenient to him.—



Mr. Manilal Kothari and a party of 55 volunteers, carrying five pounds of salt each, were arrested at Vinamgam and sentenced to a fine of Rs. 500 or six weeks' simple imprisonment in default. He refused to pay the fine. Volunteers from Bardoli and Surat, numbering 285, under the lead of Mr. Ramdas Gandhi, came to Bhimad to collect salt and after 55 maunds had thus been collected Mr. Ramdas Gandhi intimated the fact to the patel of Bhimad after which he was arrested with four others and the contraband salt was taken possession of by the police.—At Jalalpur the police confiscated 30 maunds of salt collected by Mahatma Gandhi's volunteers.—In Bombay a batch consisting of Mr. Nariman, Mrs. Kamaladevi Chittopadhyaya, Mrs. Avantikabai Gokhale and seven others broke the salt law in the presence of a huge crowd. Mr. Nauman was arrested at his house in the evening.—A batch of volunteers, organised by the Maharashtra Congress Committee and led by Seth Jammalal Bajaj, broke the salt law at Juhu, near Bombay, by fetching sea water and heating it. Seth Jammalal with two others were arrested.—In Bengal two independent batches, one under the auspices of the Bengal Provincial Congress Committee and the other under that of the Civil Disobedience Committee, broke the Salt Law at Mahisbathan and Contai, respectively. Some arrests were made. Contraband salt manufactured by the latter fetched fancy prices at Calcutta.—In the United Provinces, at Agra, two batches of volunteers engaged themselves in manufacturing salt. Pandit Shri Krishna Datta Palliwal, the leader of one batch, was arrested and sentenced.—In a subsequent statement, Mahatma Gandhi was satisfied at the striking manifestation of civil disobedience in Gujarat. It was time for every one to be both chief and follower. He expected that workers from other parts of India would come forward to take the place of those arrested.

- 8th. Conviction under Salt Act**—Bombay observed complete hartal in honour of Messrs Nauman, Seth Jammalal and others. Four principal cloth markets as well as the Zaveri and Marwari Bazzars were completely closed. The majority of the educational institutions were deserted. Mr. H. D. Raja was arrested for possession of contraband salt. The following were sentenced for disobeying the salt law:—Mr. K. F. Nauman—one month's S. I., Mr. Ali Bahadur Khan—one month's S. I., Mr. Kikhabhai Desai—one year's R. I., Dr. Manibhai—one year's R. I., Seth Jammalal Bajaj—two years' R. I. and a fine of Rs. 300. Messrs Mashruwalla & Gokuldas Bhat—two years' R. I. and Rs. 300 fine, S. J. Gangadhar Rao Deshpande—fine of Rs. 50 or 4 weeks' S. I.—Messrs. N. R. Joshi, Jeevan Rao and Gabade, Rs. 25 or two weeks' S. I.—In Borsad, Messrs. Durbar Gopaladas G. Dwarkadas and Raojibhai Manibhai sentenced to 2 years' R. I. and Rs. 500 fine.—In Delhi Prof. Indra sentenced to 9 months' R. I.; S. J. Ramdas Gandhi—six months' R. I.; Dr. Chaudulal Desai—2 years' R. I.

Addressing a large number of men and women who assembled at Att to collect salt, Mahatma Gandhi said that they should lay down their lives before parting with the salt. He added that if their fist was the fist of a Satyagrahi, with the strength of God in it, it could not be opened. Mahatma Gandhi exhorted everyone to collect, distribute and use the salt and he hoped that their example would be followed all over Gujarat.

- 9th. Arrests and Convictions**:—Srimathi Kursed Ben, grand-daughter of Late Dadabhai Naoroji, and Srimathi Mirdulla Ben, daughter of Mr. Ambalal Sarabhai were arrested in Ahmedabad for selling contraband salt.—In Delhi, thirteen prominent workers were arrested including Mr. Devadas Gandhi, youngest son of Mahatma Gandhi, Mr. Deshbandhu Gupta, Mr. F. H. Ansari and Lala Shankarlal.—In Cuttack Pt. Gopabandhu Chowdhury with 14 others arrested while marching with the 1st. batch of Satyagrahis.—In Ahmedabad Dr. Hariprasad and Messrs. Sarabhai, Ravishankar Vyas, Chotalal Vyas, Arjunlal Bhogilal and Rohit Mehta sentenced to various terms of imprisonment and fine.—In Bombay S. J. Amritlal Seth sentenced to two and half years' S. I.

- 10th.** Salt was manufactured to-day in Allahabad in the centre of the city by a batch of volunteers led by Pandit Jawaharlal Nehru. There was a large gathering including Pandit Motilal Nehru, Mrs. Motilal Nehru and Mr. Sherwani. Salt was made from Lonia mud.

**Police Raid on Bombay Congress House**:—The police party was led by Mr. Cawasji Petigara, comprised of 30 officers armed with revolvers and 200 policemen. The War Council had erected salt pans in two places. One set was on the ter-

race and the other was in the courtyard when the police made a straight dash for the terrace and then prevented entry of volunteers and easily destroyed the salt pans on the terrace. But when the police sought to return from the terrace they found their way blocked by Mrs. Peim Captain (grand-daughter of late Dadabhai Naoroji), Mrs. Jamnaben Ratanben and five other lady volunteers. A band of fifty volunteers had formed a double chain round the salt pans linking their hands together. Mr. Meherally was in charge of the operations. Mrs. Kamala Devi Chattopadhyaya also stood by the Police Superintendent who politely asked her to move away but she retorted asking the officer not to add insult to injury. After this the Superintendent of Police, it was said, ordered a mass attack by his policemen on the volunteers. Volunteers resisted the attack with their breasts. Mrs. Chattopadhyaya changed her position from time to time to be in the thick of the attack. After sometime the police began to pull the volunteers in twos and threes forcibly. They first pulled Mr. Meherally away. Some began to pull the volunteers by their legs so that they might fall down and when they fell down the police, it was reported, belaboured them. Others tried to reach the salt pans with iron rods through the openings between volunteers, and in doing so caused injuries to legs and hands of volunteers. In the melee four were severely injured. The police then cried halt and arrested Messrs. Meherally, Abidali and Saddick and marched off with their prisoners to the tune of national songs by lady volunteers who were present on the scene.

- 11th. *Police beating in Calcutta* :—The Calcutta Police, mostly Europeans, under the leadership of Mr. Gordon, made lathi attack on an unarmed, peaceful and non-violent assemblage, mostly of students, in the College Square with the result that several persons were injured. About 40 students were arrested. The occasion for this lathi display was a meeting held under the auspices of the Bengal National Militia for the purpose of distributing and reading out extracts from literature declared to be proscribed by the Government.

Dr. Suresh Chandra Banerjee who was arrested in the morning was presented before the Special Magistrate, Pichaboni, in the police tent, and sentenced to two and a half years' rigorous imprisonment. The trial did not take more than ten minutes. He was then taken to Midnapore.

*Dedication of Swaraj Bhavan* :—The "Swaraj Bhavan," formerly the residence of Pandit Matilal Nehru, was dedicated to the Congress. Pandit Matilal gave a history of the building, and said it was a great joy to him, in his old age, to make it over to the Congress. Pandit Jawaharlal Nehru, as President of the Congress accepted the gift, and formally took possession of the building.

- 12th. *Sj. J. M. Sengupta* and four young men were arrested at Cornwallis Square, Calcutta while reading extracts from the proscribed book, "Deshar Dak."—At Bala-sore Messrs. J. K. Kothari and Surendra Nath Das sentenced to six months' R. I.

*Picketing of Liquor Shops* :—"Wanted, 2,500 women volunteers for picketing liquor shops in the city of Bombay. The 500 liquor shops in Bombay require at the rate of 4 women in two shifts of two hours each, 2,000 women for regular picketing, 500 more are wanted by way of reserve. College students are particularly requested to send their names in at once," was the appeal issued by Mrs. Hansa Mehta, on behalf of the Provisional Committee for the prevention of liquor consumption, consisting of Mrs. Deshmukh, Mrs. Abantika Bai Tokhale, and other prominent lady workers of Bombay.

- 13th. *Funeral of Salt Law Effigy* :—Scenes of enthusiasm never before witnessed in Bombay were enacted as a result of an edict of the Bombay 'War Council' calling for city-wide demonstrations against the salt law. A hundred thousand citizens were present on the Chaupatti sands in the evening to witness the throwing of an effigy of the Salt Law into the sea to make the non-existence of the Government salt monopoly as well as to wind up the National Week in Bombay.

In Madras, a band of enthusiastic volunteers led by Mr. Prakasam and Mr. Nageswara Rao broke the salt law in the Triplicane Beach. Mr. Prakasam while producing salt at his residence was arrested but was released after about two hours' detention.—In Calcutta Dr. Profulla Ghose and Mr. Promotha Banerjee sentenced to two years' R. I.

*Pandit Jawaharlal's arrest* :—While boarding a train at Allahabad Junction for Raipur Pandit Jawaharlal Nehru, President of the Indian National Congress, was

arrested at 7 in the morning under section 9 of the Salt Act. He was taken to Naini Central Jail where he was convicted and sentenced to six months' simple imprisonment.

*Sj J. M. Sen Gupta* sentenced to six months R. I. on charges of sedition, conspiracy, and obstructing public servants.

As a mark of protest against the conviction of Pandit Nehru and Mr. Sen Gupta, complete hartal was observed throughout India.

**14th. Calcutta Processions Banned**—The Commissioner of Police prohibited any procession or public assembly within the town and suburbs of Calcutta with effect from the date of this order, except with the previous permission of the Commissioner of Police.

*Arrests all over India*—Reports were being received of arrests in connection with the civil disobedience campaign from many towns in the country. In the United Provinces, besides the arrest of Pandit Jawaharlal Nehru, the following, among others, were arrested at Lucknow—Babu Mohonlal Saxena, Mr. Imtiaz Ahmed, Mr. C. B. Gupta, Mr. Harish Chandra Bajpai, Pandit Joydayal Avasthi and Dr. Lakshmi Sahai Nigam. Babu Sampurnanand and three others were arrested at Benares. There were other arrests in Rai Bareilly district, in Meerut and at Hardia in Allahabad district—At Muzaffarpur Messrs. Ramdayal Singh and Thakur Ramananda Singh sentenced to 2½ years' R. I.

**15th. Disturbance in Poona**—Throughout the day there was considerable excitement in Poona city accompanying the hartal organised as a protest against Pandit Jawaharlal Nehru's conviction. A crowd of about 500 burnt foreign caps and distributed Gandhi caps in the morning. In the afternoon there were demonstrations outside the police headquarters, following an orgy of cap snatching. As the police emerged to clear the streets a heavy shower of large stones rained on them striking many. The police made several baton charges and ultimately cleared the streets.

*Disturbance in Calcutta*—Two tram cars were burnt and a third wrecked in south Calcutta with the object apparently of obstructing traffic in connection with hartal which was being observed as a mark of protest against the arrest and conviction of Sj J. M. Sen Gupta and Pt. Jawaharlal Nehru. Members of the fire brigade, European and Indian, while engaged in extinguishing the flames, were attacked by a mob, thereby sustaining injuries some of which were serious. A European sergeant opened fire in defence of a brother officer who had been wounded by Sikhs. Two of the latter were injured as a result of the firing and including these 13 Sikhs were taken under arrest. An Anglo-Indian girl, who was coming to town in a motor-cycle was stoned by the crowd and had to abandon her cycle and run for life. In north Calcutta students held up tram cars and cut off the trolley ropes. Brickbats were thrown at several places and an attempt was made to interfere with the vehicular traffic. The police, however, dispersed the crowd. A Bengal was reported to have hit Mr. F. D. Bartley, deputy commissioner of police, and was arrested. Several other police officers were injured. The city was in a state of siege. A war atmosphere prevailed and military forces were fully mobilised at Lalbazar. Armoured cars were in evidence in the streets and Parks and Squares were temporary police stations. The hartal was complete except for a few Mahomedan shops which did business as usual. Students of schools and colleges were mostly absent including those of the Bethune College for girls. 35 persons were arrested.

*Convictions*—At Bulsar Mr. Ishwarlal sentenced to 4 months' R. I., Messrs. Manubhai Desai and Mohanlal Pandya to 1 year's R. I. each.—At Patna Pt. Jagatnarayanlal, Mr. Gopabandhu Chowdhury and Mr. Bepin Behari Varma sentenced to various terms of imprisonment.

**16th. The Karachi Police Firing**—A serious situation arose, compelling firing by the police in connection with the trial of Dr. Choithram, Mr. Gidwani and five other Congress leaders who were arrested under section 117 of the Penal Code. The trial had to be adjourned soon after commencement owing to the outbreak of lawlessness on the part of the crowd which was estimated at 20,000. They threw stones at the court building smashing practically every window. Some of the crowd inside the court threw stones at the pleaders and others who congregated therein. They shouted revolutionary slogans. Later, at quarter past

one, the police fired nine shots. Several persons were injured. Mr. Jairamdas Daulatram, a member of the Congress Working Committee, received a bullet wound on the thigh.

- 17th. *The Mahatma on Calcutta and Karachi Riots*—“If non-violence has to fight the people's violence in addition to the violence of the Government it must still perform its arduous task at any cost. I see no escape from it”—said Mahatma Gandhi in course of a statement regarding the riots in Calcutta and Karachi. Regarding violence, he said with emphasis that the Government themselves have provoked it by prohibiting public meetings and processions altogether and by picking up leaders known to be partial to non-violence and to possess controlling influence on the people.

*Boycott of Foreign Goods*—Vigorous propaganda was being carried on all over India to banish foreign goods and the response it received from all quarters was very encouraging. Intensive Picketing was started almost everywhere to boycott foreign clothes, cigarettes and intoxicating liquor.—In Bombay 200 volunteers secured six donkeys, decked them in foreign clothes—hats and all—and dividing themselves into three batches paraded the prominent thoroughfares exhorting all to discard foreign clothes.—The Automobile Dealers in Delhi boycotted rubber products and accessories of certain British firms. Pandit Malaviya successfully induced the piece-goods dealers in Bombay not to indent any foreign cloth for a year to come and all dealers, importers and brokers solemnly pledged to abide by the decision.—Great enthusiasm also prevailed among the women and students who were joining in large numbers the unique campaign of Civil Disobedience launched by Mahatma. Women volunteers from the Sabarmati Ashram, under Mrs. Gandhi's leadership commenced picketing of liquor shops in Jalalpur.

Pt. Motilal Nehru succeeded Pt. Jawaharlal his son as the President of the A. I. C. C. owing to Mahatma's refusal to wear the crown, and took charge of the office from this day.

*Arrests & Convictions* :—Dr. Chiya, President, Surat Taluka Congress Committee and the Youth League sentenced to eight months' simple imprisonment. Doctor Chaitram, President of the Sind Congress Committee and Mr. Narandas Anandjee Bechar, President of the Karachi Congress Committee sentenced to two years' rigorous imprisonment each. Mr. Sampurnanand, the dictator of the Civil Disobedience campaign in Benares district sentenced to eighteen months' rigorous imprisonment and a fine of Rs. 200, in default to a further six months. In Delhi, Mr. Devidas Gandhi sentenced to 3 months' S. I. and ten others with him to 3 months' R. I.

- 18th. *The Chittagong Armoury Raid*.—The following telegram was sent by the “Free Press” correspondent at Chittagong regarding the disturbance on the night of April 18 :—“Consternation was created in the town last night (Friday night) by simultaneous raids organised by a large band believed to be young men. The raiders cut off the telephonic exchange connection, detached telegraphic lines connecting Calcutta and Dacca and removed the rail lines between Dhoom and Jerjaganj causing derailment of a goods train which blocked the whole line. Another band attacked the officer in charge of the Assam Bengal Railway Headquarters, instantly shot him dead and smashed his head by the butt end of guns. The band then set fire to the rooms and it is believed removed the rifles and ammunition. Another band shot dead the sentries posted at the Police reserve, took away a stated number of guns and ammunition and set fire to the magazine rooms which were destroyed. A large number of guns are said to have been smashed and broken by iron hammers. On receiving information, the District Magistrate immediately dashed to the scene, but while proceeding he was attacked by the raiders in his car. It is said nine shots were fired at his car. The driver was seriously wounded and a constable was killed. Several wounded people are in hospitals. Empty motor cars supposed to have been used by the raiders were found in several parts of the town. The next morning the sound of incessant firing of machine guns was heard. That night European ladies and children were safely lodged in Pahartaly workshop and other places which are strongly guarded. Raiders made good their escape and no traces of their whereabouts have yet been found. Panic seized town people and none were allowed to come out after 9 p.m. till 6 a.m. in the morning. A large number of Gurkha soldiers have been brought and armed pickets are patrolling the streets at night. Telegraphic com-

munication is restored and telephone exchange has been partly repaired. A large number of houses have been searched. A number of youngmen are found missing. The police and authorities are reticent and refuse to supply information. Several arrests have been made including a person with a burnt face and other injuries.

- 19th. Bengal Ordinance Again.**—His Excellency the Viceroy promulgated the Bengal Ordinance to suppress terrorist outrages.

**Convictions.**—Messrs. Sambamurty, V. Satyanarayana and others, arrested at Cocanada, sentenced to one year's simple imprisonment as they declined to give surety bonds—Mr. Jamnadas Mehta, ex-Member of the Legislative Assembly, was arrested at a meeting at Kalyan. He was sentenced to six months' simple imprisonment and fine of Rs. 200, in default to further two months—Mr. H. D. Rajah, Secretary of the Bombay Presidency Youth League, sentenced to six months' rigorous imprisonment for selling contraband salt.

- 21st. Mass Civil Disobedience.**—Karachi citizens, men and women, proceeded in their thousands to Bath Island where there were deposits of natural salt, and offered civil disobedience on a mass scale. 10,000 maunds of salt were brought to Karachi. Boycott of foreign cloth was making considerable headway in the Punjab, Delhi and other provinces. Mahatma Gandhi at Jalalpore visited the lady volunteers there. He expressed satisfaction with the arrangements made for picketting of liquor shops.

**Convictions.**—Prof. Gharpure, President of the Bombay Congress Committee, and Messrs. S. K. Patil and G. N. Desai, Joint-Secretaries were arrested at Bhatia Bhaug near Bori-Bunder while manufacturing salt. Mr. K. M. Munshi was arrested in Bombay, as well as Dr. Kher, Swami Ananda and other Maharashtra leaders in charge of the Satyagraha in Ville Parle. Mr. Munshi was sentenced under Section 47 of the Salt Act to 3 months' S. I., and under Section 117, I. P. C. to 6 months' S. I. and a fine of Rs. 200, in default to 2 months' further imprisonment, the sentences to run concurrently. Dr. Pattabhi Sitaramayya, member of the Working Committee of the Congress and Mr. A. Kaleswar Rao, Municipal Chairman, Bezwada, were arrested at Masulipatam under the Salt Act and sentenced to 1 year's S. I. In Bombay Messrs. Chimanlal Shah and Jaswantrao Mehta sentenced to 9 months' R. I. and Rs. 100 fine—In Contai (Bengal) Dr. Nani Guha Roy 18 months; In Patna Swami Satyananda and Mr. Ambika Kant Sinha sentenced each to 6 months' R. I.

**The Independent Labour Party Conference** at Birmingham adopted a resolution in favour of the right of India and Egypt to absolute independence, amnesty to political prisoners, stopping the Meerut trial and removal of obstacles to friendly conference with India.

- 22nd. Chittagong Raid Sequel.**—A Chittagong message stated that there was a free fight between the rebel band and the military at Hatazrai which resulted in twelve being killed and several injured. The number of casualties on the Government side was unknown. Several persons were arrested in the town and the villages while searches continued.—A Feni message stated that the Senior Police Inspector of Feni was shot along with two constables by a body of suspects at Feni while the latter were being searched in a train from Chittagong. The miscreants were reported to have decamped leaving a revolver behind.

**Satyagraha Campaign.**—The Bombay Satyagrahis had a tussle with the police but the latter retired without taking away any salt. Satyagraha leaders in Contai, (Bengal) sentenced and the Pichaboni camp attacked by the police. The prohibitory order under Sec. 144 in Calcutta was defied by the Bengal Civil Disobedience Committee who held a meeting at Shraddananda Park. The Police raided the Civil Disobedience Council Office as also the "Advance" Press. Madras observed hartal in conformity with the Satyagraha leaders, to express their deep resentment at the arrests of Messrs. Nageswara Rao and others, and the very severe sentence passed on them. Very little persuasion was needed to enlist the sympathy of the better class of merchants to suspend their business to mark the displeasure of the mercantile community at the policy of repression inaugurated by the Government.

- 23rd. Messrs. Mahadeb Desai and Broker** were arrested in Ahmedabad. Mr. Desai was sentenced on the 26th to six months' S. I. Swami Anand, Mr. Kher and Mr. Wedrekar, leaders of the Ville Parle Satyagraha, sentenced each to 8 months'

rigorous imprisonment and fine of Rs. 200, in default to further 4 months' rigorous imprisonment. Mr. Kher was further fined Rs. 50 for being in possession of contraband salt.

- 23rd. Mahatma Gandhi's appeal to the people of Aodali on temperance had a remarkable effect, the owners of gardens agreeing to fell all palm trees

The sedition law was disobeyed in Jubbulpore at a public meeting by Seth Govindas, Pandit Dwarka Prasad Mishra, and others. Passages from "Bhaarat Mei Angrezi Raj" and another proscribed book were read, which were repeated by the whole audience,

*The Peshawar Riot.*—After Calcutta and Karachi—Peshawar was the scene of military firing on a large crowd resulting in the death of many. The origin of the trouble as stated in the Government communique is as follows:—"Early this (April 23) morning certain political agitators were arrested for various offences and during the morning crowds collected and rapidly became out of control of the police. Troops had to be called in to restore order and were eventually compelled to fire on the mob."—On the Government side the casualties included the Deputy Commissioner and the Assistant Superintendent of Police. The "Tribune" of Lahore was responsible for the news that two armoured cars tried to rush through the crowd and in that attempt three persons were crushed to death. This infuriated the crowd culminating in the attack on the armoured cars, two of which were burnt with the occupants.

- 24th. *The Neela Police Firing.*—One villager was killed and several wounded at Neela as a result of police firing. The situation which was calm and peaceful during the day took a serious turn in the evening when the police had to open fire on the villagers who had gathered at a place near the salt centre of the Satyagrahis,

*Satyagraha Campaign.*—Mr. Bulabhai Desai, Ex-Advocate General of Bombay warned the Government against the use of force on the Satyagrahis. Maulana Habibur Rabaman and ten other Congress workers were arrested in Ludhiana. Lady volunteers in Jalalpur were carrying on house-to-house propaganda against the drink evil. The Bombay share-market remained closed and Ahmedabad observed a complete hartal as a protest against the arrest of Mr. Mahadev Desai. Messrs. D. Naraynaraju, A. Govindachari and Mr. N. V. L. Narasimharaju, Chairman, Municipal Council, Guntur, who were sentenced to 1 year's S. I.,

- 25th. *Lathi Charge in Madras.*—Six were severely wounded and many were beaten in the Satyagraha procession in the North Beach Road, Madras. The charge was directed by the Commissioner of Police, Mr. C. B. Cunningham personally who stood facing the procession and directed them to stop. On their doing so, he declared them an unlawful assembly and ordered them to disperse. Satyagrahis did not disperse and Mr. Cunningham summoned the lathi Police stationed near-by and asked them to charge the processionists. First aid was rendered by the volunteers who escaped unhurt and the wounded were taken in private cars to Dr. U. Rama Rao's Pharmacy. Mr. Cunningham offered his car to take the wounded whereupon Shrimathi Durga Bai politely asked him to mind his business.

*Mr. Patel's Resignation.*—Mr. V. J. Patel tendered his resignation of the Presidentship and Membership of the Legislative Assembly to enable him to join his countrymen in the movement for freedom. He mentioned the difficulties and obstacles that the first elected President had to contend with in the discharge of his duties and also stated the reasons for his resignation.

Mr. Sri Prakasa, General Secretary of the A. I. C. C., sentenced to six months' S. I. and fine of Rs. 100.

- 26th. Mahatma Gandhi unfolded at a meeting held at Ohharvada, in Bulsar Taluka, his plan for raiding the Government Salt Depot at Dharasana within a few days. He invited the men present at the meeting to accompany him, dressed in Khaddar and after giving up the drink habit. He threatened to practise Satyagraha against them if they came to accompany him without fulfilling these conditions.

Mr. L. B. Bhopatkar, and leader of the Satyagrahis at Kalyan, was arrested for breach of the Salt Act.

**26th** The Lucknow District Muslim League passed a resolution supporting boycott of British cloth.

**27th Police Firing at Madras**—The police made a lathi charge and opened fire on a huge crowd assembled at the Triplicane Beach, Madras and its vicinity to condemn the alleged attack on Sitayagraha volunteers on the 26th. Beyond the usual exhibition of enthusiasm such as shouting of 'Jais' the crowd was absolutely peaceful and for a time everything went off quietly. Subsequently, however, there was some trouble and the Police charged on crowds at several places with lathis and at Triplicane they opened fire. Many among the crowds received lathi blows and bayonet wounds. Three were shot dead and ten were removed to the hospital with gun-shot wounds, one of whom was an Advocate of the High Court. On the side of the police almost every officer received some slight injury as a result of stone-throwing.

*Press Ordinance issued*—His Excellency the Viceroy and Governor-General of India promulgated an Ordinance to provide for the better control of the press to come into force from this day.

Mr. Kaka Kalekar, the Principal of the Gujrat Vidyapith, who was arrested at Borsad for manufacturing contraband salt was sentenced on the 30th to seven months' S. I.

**28th. Gujrat Women's letter to the Viceroy**—The following letter was sent to the Viceroy on behalf of the women of Gujrat.—“We the undersigned cannot remain aloof from the great national upheaval going on at present. We fully sympathise with the campaign of civil disobedience of the Salt Laws. Women in villages have already begun manufacturing contraband salt, but we women should find out an additional and special field of our activity. We easily accepted Mr Gandhi's suggestion that we are better fitted to carry out the boycott of foreign cloth and the prohibition of liquor through picketing. As we intend to undertake this movement, we beg to impress upon Your Excellency that it is a function of the State to stop traffic in liquor and other intoxicating drinks and imports of foreign clothes.”—Among the prominent signatories were, Miss Anusuya, Mrs. Saraladevi, Mrs. Abbas Tyahji, Miss Mithuben Petit and others.

**29th.** “The Daily Herald” sounded a note of warning to the Government against pursuing the “disastrous path of repression.”

*Arrests and Convictions* :—Mr. Bhopatkar, Maharashtra leader, was sentenced to six months' simple imprisonment. Charges under Section 124-A, I. P. C., were framed against Messrs. Devidas Gandhi and Ramanand Sanyasi. Mr. Devidas Gandhi was sentenced on the next day to one year's E. I. Dr. Mahomed Alam and Dr. Satyapal, prominent Congressmen of Lahore, were arrested.

**30th.** Mr. C. Rajagopalachariar was arrested at Vedaranyam under the Salt Act and sentenced to undergo 6 months' S. I. and Rs. 200 fine, in default to further 3 months' S. I. Mr. Konda Venkatappayya was sentenced to 1 year's S. I. Moulana Zafar Ali Khan of the Punjab was arrested.

*Rigours of Press Ordinance* :—The Press Ordinance was being applied with great rigour specially in the Punjab and Bengal. Delhi the Imperial Capital was without newspapers for the last two days. In Peshawar censorship was imposed on newspapers. Lahore and Madras and Bombay papers suspended publication for two days as a protest. A novel idea was hit upon by the Delhi journalists. Five blackboards were hung in Chandni Chowk on which the news of the day were written in chalk for the benefit of the public. In Calcutta, the police raided the offices of “Advance” and “A. B. Patrika” for copies of reports of a bonfire. All prominent papers, “Liberty”, “Advance”, “A. B. Patrika”, “Bangabani”, “Swatantra” and other vernacular papers were served with notices to furnish securities. All papers excepting “Patrika” suspended publication.

## May 1930.

**Chief Events :—**Congress Offices raided at Peshawar, Calcutta, Lucknow, Bombay and other places—Arrests and convictions of prominent Congressmen including Mahatma Gandhi, Mr Tyabji and Mrs. Sarojini Naidu—Disturbances at Sholapur, Mymensingh, Jhelum, Multan, Pabna and other places—Viceroy's Announcement on R. T. Conference—The Mahatma's Peace Terms—Indian Debate in Commons—The Dharsana and Wadala Salt Raid—

1st. *Reports of arrests and convictions* of prominent Congress leaders and workers continued to pour in from Monghyr, Balasore, Amritsar and Bombay. Mr D. V. Gokhale arrested at Arnala on April 26th. was sentenced to 4 months' simple imprisonment and Rs. 50 fine, in default to another month under the Salt Act and 8 months' simple imprisonment and Rs. 200 fine, in default to further 2 months under Section 114, I. P. C.

2nd. Mr. N. D. Savarkar, arrested on 30th. April in connection with salt satyagraha at Arnala, was sentenced to six months' simple imprisonment and a fine of Rs. 350 in default to two months' imprisonment.

3rd. Mr. V. J. Patel, ex-President of the Legislative Assembly, arrived in Calcutta. The Police charged the large crowd that was following Mr. Patel's car from the station resulting in injuries to several persons including Pandit Govind Malaviya.

His Excellency the Viceroy condemned the Satyagraha movement in a letter to Maharaja Sir Pradyotkumar Tagore.

Congress Committees in Peshawar declared unlawful associations by the Chief Commissioner.

The Bombay Branch of the European Association addressed a letter to the Government of Bombay, requesting Government 'to take a firmer attitude in the maintenance of law and order.'

The Indian Chamber of Commerce, Calcutta sent a memorandum to the Viceroy urging the withdrawal of the Press Ordinance.

In dispersing a meeting held at Shradhanand Park, Calcutta in defiance of Police order, the Police made a baton charge on the crowd as a result of which several people including some passers-by were injured.

4th. *Arrest of Mahatma Gandhi*—Mahatma Gandhi arrested after midnight in his camp at Karadi under Regulation 25 of 1927. He was taken to Yerawada. Mr. Abbas Tayabji took the Mahatma's place.

5th. *Sensation prevailed in Peshawar* when the people were surprised to find the city surrounded by military with numerous pickets on all strategic positions and at exits and narrow lanes to main bazaars in connection with the arrest of Congress and Naujawan Bharat Sabha leaders. The whole day the Police were seen busy making arrests, which had not ceased till 11 in the morning.

6th. *Hartal on Mahatma's Arrest* :—Mahatma Gandhi's arrest was followed by hartal all over India. There was a mammoth procession in Bombay to protest against the Mahatma's incarceration. Police opened fire in Howrah and Delhi, resulting in several persons being injured. In Delhi two persons succumbed to injuries received during a lathi charge.

In his second letter to the Viceroy Mahatma Gandhi intimated his final decision to set out for Dharsana and reach there with his companions to demand possession of the salt works.

7th. The Government of India replied to a protest by the Bombay Merchants' Chamber against the Press Ordinance. The reply stated that the Press Ordinance was in no way directed against the dissemination of news.

Six persons were reported to have died of injuries sustained as a result of police firing on a crowd in Delhi.



**7th. The Jamait-ul-ulemas Fatwa :—**After three days' strenuous discussion on the question whether Muslims should participate in the struggle for Independence initiated by the Indian National Congress, the Jamait-ul-Ulema Hind at its session at Amroha resolved :—(a) Whereas the Indian National Congress has adopted complete independence as its political goal at its Lahore session, which has so long been the creed of Jamait-ul-Ulema Hind, and whereas it has nullified the Nehru Report which was strongly opposed by the Jamait and whereas it has resolved that no constitution will be acceptable to the Congress unless it gives full satisfaction to all the minorities concerned, this session of the Jamait-ul-Ulema considers that under the present circumstances there is no reason why Muslims should keep themselves aloof from the Congress. (b) In view of the religious and national interest of Muslims, this session of the Jamait wants to make it clear that any future programme of the Congress will not be regarded as the final word for Muslims, unless the Jamait-ul-Ulema accepts it. (c) Whereas the Sarda Act is an open interference with Islam and is an outrage upon the Islamic personal law and whereas the Government, in spite of wide-spread agitation and protest, has not exempted Muslims from it. (d) Whereas complete freedom of the country and the nation from British domination is the only means to put a stop to all this mischief and to safeguard the honour of Islam, this session of the Jamait appeals to Muslims that for the sake of the freedom of the country and to protect from the outrage the Islamic personal law, they should, in co-operation with the Congress, carry on the non-violent struggle for freedom with courage, zeal and determination. (e) This session of Jamait appoints a Committee, consisting of Maulana Kifayatulla, Maulana Ataullah Shah Bukhari and Maulana Muhammad Naeem to prepare a programme of action on the following lines for the attainment of freedom and the protection of personal law and invited Moslems to execute it :—(i) Publication of proscribed Fatwa and other literatures. (ii) Picketing of liquor shops. (iii) Boycott of British goods and specially British cloth and to carry on a propaganda in favour of British goods and cloth made in India. (iv) The Jamait expects that, if the Indian National Congress makes an attempt to remove the doubts and suspicions of some of the Muslims who are not yet satisfied with its attitude, prompt success is bound to come through the united actions of the Muslims."

**8th. Sholapur Riot :—**25 persons were reported to have been killed and many more injured as a result of police firing on a disorderly crowd of insurgents at Sholapur city. Martial Law was proclaimed on the 13th, and the Viceroy promulgated an Ordinance to regulate the military administration of the city on the 15th.

**Convictions :—**Dr. Alam, Maulana Zaffarah Khan and Dr. Satyapal were convicted on charges of sedition to 18 months', 2 years' and 3 years' rigorous imprisonment respectively by the Additional District Magistrate of Lahore.

**10th. Messrs. N. S. Varadachari and A. Vaidyanatha at Vedaranyam, sentenced to six months' simple imprisonment and a fine of Rs. 300 each, in default to imprisonment for a further period of six weeks.**

Bakrid celebration passed off peacefully all over India barring disturbances in Dighoi in Assam.

The journalists' meeting convened at the Indian Association Hall, Calcutta to consider the advisability or otherwise of resuming publication of papers ended rather abruptly without coming to any decision.

**No-Tax Campaign in Bardoli :—**"In this great non-violent fight for complete Swaraj launched with the imprisonment of our beloved Sardar Vallabhbhai Patel and sanctified with the sacrifice of numerous leaders and workers, our Taluka has hitherto contributed its might, but now that Government has captured Gandhiji, the greatest man in the world and the life of India, we farmers of Bardoli Taluka will not pay land revenue till Gandhiji or Sir Vallabhbhai directs us to pay and in doing so we shall cheerfully endure all hardships from assaults, jail and forfeiture of property to death," declared the people of Bardoli in a resolution passed at a conference, Mr. Abbas Tyabji, Mahatma Gandhi's successor, presiding.

**11th. Desh Sevika's Appeal :—**"Do the women of India intend to liberate their brave brothers rotting in jail? If they really feel for the suffering of their country, let them come in their thousands and stop the indignity of foreign cloth in our

motherland. The Desh Sevikas expect their sisters to join not in hundreds but in their thousands."—Thus appealed the Bombay Desh Sevika Sangha who were carrying on an intensive picketing of foreign cloth shops in Bombay markets.

- 12th. Convictions**—Mr. Abbas Tyabji and all his 59 volunteers were arrested in the morning while starting on their march to raid the Salt Depot at Dhaisana. Mr. Tyabji was sentenced on the next day to six months' S. I. Mr. Jugatram Dave was sentenced to 6 months' R. I. and 53 volunteers to 3 months' R. I. Four volunteers were released with a warning.—Dr. Saifuddin Kitchlew, Mr. Sheikh Hissam-din, Dr. Santiam Seth and Saidar Teja Singh were sentenced to 18 months' rigorous imprisonment.—In C. P. Seth Govind Das Pandit Dwarka Prasad Mishra, Pandit Ravishankar Shukla and Pandit Makhanlal Chaturvedi sentenced under sedition on two counts to two years' rigorous imprisonment each. Shriyut Bishnudevayal Bhargava convicted to one year's rigorous imprisonment. Immediately after the judgment was pronounced Shriyut K. R. Khandekar, acting president of the 'War Council' was arrested. He was remanded into jail custody till the 15th May. The town observed a complete and spontaneous 'hartal.'

**Salt Raid at Shirola**—Two batches of 75 volunteers each raided the salt depots at Shirola for over half an hour before a large crowd. The Police arrived on the scene, arrested the two batches but after a while let off all except the leaders and twenty of the volunteers. Later, another batch raided for two hours when the Police again appearing on the scene arrested 55 volunteers. Up to 1 o'clock 90 volunteers were arrested but 400 maunds of salt were removed by Satyagrahis.

**Viceroy Announced Round Table Conference** :—In the course of a significant statement the Viceroy announced that steps were being actively taken to arrange for the assembling in London of representatives of the proposed Conference to discuss the Indian constitutional problem, on or about 20th. October. Appealing to "all persons throughout India," he said.—'I recognize that at the present time there is a widespread desire throughout India to see real political advance and I have learnt to love India too well to relax any effort to assist in what I hold to be the natural and true development of her political life'

**Passing away of Her Highness Nawab Sultan Jehan Saheba**, Begum Mother of Bhopal. Ascending the Gadi in 1901, she abdicated it, owing to old age, in favour of her son Nawab Hamidullah Khan, the present ruler. She took a very prominent part in the advancement of both male and female education and had been the Chancellor of the Aligarh Muslim University for the last decade. She was generous to a fault and her philanthropy never made any distinction between caste, colour or creed.

- 13th. The Calcutta Police** raided the headquarters of the Bengal Provincial Congress Committee Satyagraha volunteers and arrested about 40 persons, including S. J. Purna Chandra Das.

**Non-Brahmin Conference** :—The working committee of the All-India Non-Brahmin Conference at Poona, after a stormy sitting wherein the younger section denounced Mahatma Gandhi's arrest and the repressive policy pursued by the Government to combat the civil disobedience campaign, adopted a number of resolutions. Rao Bahadur K. S. Naidu of Wardha presided. The meeting adopted a resolution expressing disapproval of the repressive policy of the Government as a measure for preserving peace and order in the country and urged the Government to take the leaders of all political parties into their confidence before it proceeded to adopt repressive measures.

**Boycott Gaining Force** .—The Delhi Hindustani Mercantile Association, the Delhi 'Piece-goods' Association and the Lahore Cloth Merchants' Association sent cables to their foreign constituents cancelling all indents and warning them not to ship any more goods for northern India. The European Chambers of Commerce cabled back stating that such cancellations were impossible, as manufacturers had advanced too far. At the instance of the Associated Chambers of Commerce, the whole question was re-considered by the Bengal and the Punjab Chambers of Commerce. Both these bodies expressed the opinion that no shipment should be made without previous consultations with the buyers.

- 14th. Convictions** :—Mr. Rukmani Lakshmipathi sentenced to one year's simple imprisonment. Mr. Jamnadas Dwarkadas, Mr. B. N. Mishri and Mr. Purnasho-

thamdas Trikamdas sentenced under Salt Act to 5 months' imprisonment and a fine of Rs. 200 in default to further 3 months' imprisonment each.

*Mr. Sastri's Suggestions* — Release Mahatma Gandhi, proclaim general amnesty and give a guarantee that India would be given Dominion Status at the earliest opportunity—these were the three suggestions which the Rt. hon. Srinivasa Sastri made in course of his lecture on 'How to save India' delivered to the members of the House of Commons.

*The Mymensingh Firing* —The Government of Bengal issued the following communique :—"The Government have received telegrams stating that at Mymensingh on the 14th May at 5-30 p.m. a mob heavily stoned a police force of 125 men besides officers of whom 20 were armed. This force was protecting the excise vendors in removing the supplies of liquor from the excise ware-house. The Additional District Magistrate, the Superintendent of Police and several constables were hit. Eventually, after a due warning having been given, the additional District Magistrate gave orders to fire and the mob was dispersed. Thirty-nine rounds of buck-shot and ten rounds of ball ammunition are reported as unaccounted for and were presumably fired. The casualties on the side of the police amounted to one sub-inspector dangerously injured, one constable severely injured and 28 others treated for minor injuries. Of the rioters 53 have been treated in hospital. Thirty three of these were suffering from gunshot injuries. The condition of five is grave.

- 15th. *Professor Gunshyam Jethanand*, Editor of 'The Hindu' of Hyderabad, (Sind) sentenced to 12 months' rigorous imprisonment on a charge of inciting people to break laws.

*The Council of the National Liberal Federation of India* issued a statement on the present political crisis wherein it expressed the opinion that the situation in Sholapur could have been handled without the introduction of martial law. It supported the movement for Swadeshi goods, but opposed retaliatory measures like picketing of shops. It urged immediate recall of the Press Ordinance, and deprecated the extent to which censorship had been exercised to suppress the dissemination of correct news and private telegrams. The Council, while opining that the Conference plan should be adhered to, felt that in order to ensure its success it was not enough to announce the date of the meeting, but the Government should lose no time in publishing the terms of reference and making it plain that the object with which the Conference was being summoned was the establishment of Dominion Status. It appealed to the Congress to cease activities which were a challenge to law and order and asked the Government simultaneously to create an atmosphere favourable to the Round Table Conference by releasing the political offenders who were not guilty of violence. It finally urged the Viceroy to confer with Indian leaders for the purpose of removing the present tension and to facilitate the success of the Conference.

*Congress Bulletins banned* :—An order under Section 144 Cr. P. C. was served upon the President, Secretary, Treasurer and all members of the Bombay Provincial Congress Committee, Satyagraha Committee and "War Council," to abstain from editing and publishing the Bombay Congress bulletin or any other leaflet likely to bring the Government into hatred or create disaffection against the Government.

- 16th. *March to Dharsana*. Mrs. Sarojini Naidu and her volunteers who were kept waiting for 27 hours without food near Bulsar on their way to Dharsana, finding their way blocked by Police cordon, were arrested in the morning, taken out of the Police cordon and were immediately released.

- 17th. *Convictions* :—Sardar Sardul Singh was arrested in train while on his way to Lahore after attending the meeting of the Working Committee at Allahabad. Mrs. Kamala Devi Chattopadhyaya was arrested in Bombay under Salt Law and sentenced to undergo 6 months' S.I. and to pay a fine of Rs. 150, in default to undergo 3 months' S.I., and to pay a fine of Rs. 20, in default to undergo 2 weeks' S.I.

*The Munshiganj Satyagraha* which had continued for the last nine months ended this morning when about 200 high caste women, with the help of the members of the Youngmen's Association, removed the barrier of the temple with saws, axes and hammers and threw the door of the temple open to all classes of Hindus. About 2000 spectators witnessed the incident.

**18th. The Jhelum Riot**—The official report of the events that took place in the village of Kala in Jhelum district, said that on the 17th. May in the evening, the Congress party made objectionable demonstrations, with mock funerals, outside the houses of loyalists in Jhelum city. On the morning of May 18 the Congress party visited the village of Kala and made objectionable speeches and arranged a meeting for the evening. The meeting took place as arranged and the Zaildars and other loyalists were demonstrated against, with mock funerals and insulting cries. The Congress party was accompanied by strong detachments from Jhelum Jada and Kala. Hearing of this, the District Magistrate and the Superintendent of police, with 66 other police ranks, armed with 11 muskets, proceeded to Kala to preserve order and protect the loyalists. On arrival there at dusk, they found an excited crowd in the centre of the village, who greeted them with abuse and revolutionary cries. The District Magistrate declared the crowd an unlawful assembly and ordered it to disperse. The Congress adherents and the crowd refused to disperse, whereupon the arrests of the ringleaders and the dispersal of the crowd were proceeded with. The crowd then stoned the police heavily, climbing on the roofs of houses for this purpose. The police party, having completed the arrests, began to withdraw between the high houses and through narrow lanes, being stoned heavily all the time. Under the orders of the Deputy Commissioner the police fired single shots from time to time at the stone-throwers on the houses as a barrage to cover their withdrawal. In all 20 rounds buckshot were thus fired, 19 arrests were made in Kala and on May 20, 14 persons were arrested in Kala and Jhelum city in connection with the events of May 17 and 18.

**The Wadala Salt Raid**—472 Satyagrahis who set out to raid the salt works at Wadala, suburb of Bombay, were arrested. Batches of ten volunteers appear unexpectedly, raid the salt pans, seize the salt and then in their attempt to march out from the salt works are arrested.

**20th. The Mahatma's Peace Terms**—In an interview with Mr. Slacombe, the "Daily Herald" representative, Mahatma Gandhi agreed to recommend to the Congress the suspension of the civil disobedience movement and co-operation at the Round Table Conference on the following terms—(1) The terms of reference of the Round Table Conference to include the framing of a constitution giving India the substance of independence. (2) Satisfaction to be granted to Mr. Gandhi's demands for the repeal of the salt tax, prohibition of liquor and ban on foreign cloth. (3) Amnesty for prisoners convicted of political offences to coincide with the end of the disobedience campaign. (4) The remaining seven points raised in Mr Gandhi's letter to the Viceroy to be left for future discussion.

**21st. Dharsana Salt Raid**—Mrs. Sarojini Naidu, Sjs. Manilal Gandhi, Pyarilal and Mr. Imam Saheb (a colleague of the Mahatma in South Africa and the leader of to-day's march) were arrested at Dharsana, following an attempt by about 2000 volunteers to take possession of the Salt depot in the morning. The Police made a lathi charge as a result of which 320 volunteers including Sjs. Manilal Gandhi and Narahari Bhai Parekh received injuries. Several hundreds more of the volunteers were injured as a result of a second lathi charge by the Police on the volunteers who remained near the fencing after the morning's incidents. 290 was the total number of volunteers who were admitted to the camp hospital at Untadi. The Bombay Government issued a communique on the incidents, which stated that the raid was made by about 2600 volunteers, accompanied by a large crowd of spectators.

**Untadi Camp demolished**—The Police also took possession of and demolished the volunteers' camp at Untadi. They gave fifteen minutes' time to the volunteers to vacate the camp. Most of the volunteers having left, those who stayed back were charged with lathis as a result of which several volunteers received injuries. 20 were treated in the camp hospital.

**The Wadala Raid**—A further raid on the Wadala salt works was made on this day. Several volunteers were injured. 183 volunteers were arrested. 95 volunteers who were marching from the Bombay Congress office to raid the salt pans at Wadala were placed under arrest by the Police.

**Convictions**—Mr. K. F. Nariman, President, Bombay Provincial Congress Committee, Dr. Choksey, Vice-President and six others who were arrested for

violating the Chief Presidency Magistrate's order prohibiting publication of the Congress bulletin, were convicted on the next day. Mr. Nauman was sentenced to four months' simple imprisonment and the other accused were sentenced to six months' rigorous imprisonment.

*The C. P. Marathi 'War Council'* organised public meetings in all the district and taluka centres for the purpose of reading proscribed literature simultaneously. Passages from the proscribed book 'Bharat Me Angrezi Raj' was read by volunteers. Thirteen public meetings were held in Nagpur on the same night in different Mohallas and the audience were asked to repeat the passage. Mr. Abhyankar attended these meetings and addressed each of them for a few minutes.

- 23rd. Mrs. Sarojini Naidu sentenced** under section 145 I. P. C. to nine months' simple imprisonment at Dharsana. Sijut Maulai Gandhi and S. Pyarelal were sentenced to one year's rigorous imprisonment and Imam Sahab to six months' simple imprisonment. The Police searched the volunteers' camp at Untadi and arrested Mr. Narahari Parekh.

*Bombay Merchants' huge Procession.*—Bombay had a huge procession of 2 lakhs organised by 28 Indian commercial bodies to tell the world that it supported the Mahatma whole-heartedly. When the procession reached Borj Bunder, it found itself face-to-face with a strong Police force, determined to oppose all further progress. The Police being adamant, the processionists resorted to Satyagraha and sat on the road. After the lapse of nearly four hours, the Commissioner of Police conceded the reasonable demands of the Indian merchants and allowed them to take the procession by the route already decided.

*The Second Dacca Riot.*—The following Govt. communique was issued:—"A petty squabble between Hindu and Mahomedan boys at Dacca on the 23rd instant was followed that night by the murder of one Mahomedan whose assailants were believed to have been Hindus. As a result of this occurrence, serious communal riots broke out on the afternoon of the 24th instant and continued throughout the next day. These disturbances were accompanied by some loss of life and considerable damage to property. On the 26th instant the Inspector-General of Police arrived in Dacca accompanied by a force of hundred Eastern Frontier Rifles and 115 armed police and thereafter the situation improved slightly, but on the night of the 26th, there was a small disturbance and one case of looting as well as two cases of stabbing, one of a Hindu and the other of a Mahomedan. Leading Hindu rioters have been arrested and all known Mahomedan goondas are also being dealt with. A telegram of the 28th. stated that the position in Dacca is somewhat easier, but there are indications that trouble is spreading to villages in the vicinity. There was yesterday a riot near Tezgaon and the Union Board office at Matwali, three miles from Dacca, was burnt down. In the city three Hindu houses were looted and burnt and there were five cases of stabbing, one of which was fatal. It is also reported that supplies for Hindus and Europeans are difficult to obtain. .."

- 24th. The Multan Disturbance:**—The Punjab Government received information that, as a result of a clash between the members of a procession which had been prohibited under sec. 141, Cr. P. C., and the Police at Multan, one police officer and five members of the procession were injured. One of the latter subsequently died while under treatment in the civil hospital.

*Wholesale arrests* were reported from Lucknow where almost all prominent Congress workers were arrested in the morning. Two of them were fined and 11 jailed.—At Cawnpore Pandit G. Vidyarthi, President of the U. P. War Council, and Sjt. N. P. Arora, President of the local War Council were arrested and tried in the jail next day, and were sentenced to 12 months' imprisonment, respectively.

- 25th. The Wadala Salt Raid:**—Spectators numbering about 2000 joined a hundred volunteers who carried out a more determined raid on Wadala salt pans than hitherto and the police met them with correspondingly greater resoluteness. The raiders were led by Mr. Bhungara, Parsi world-cyclist, and were surrounded by cheering crowds. A batch of 28 volunteers including the leader was arrested at the main gate leading to the salt pans. The remaining volunteers, mixed up with the spectators, jumped the iron railings and were confronted by the police inside. A 'malee' ensued lasting to two hours after which the raiders withdrew leaving 17

injured, seven seriously on the head and 115 were arrested. Red Cross work was done by volunteers under Dr Sanshi with a fleet of two ambulances and five motor cars. Among those arrested were three Gujarati ladies and a lad of ten years who were subsequently released. In the afternoon eighteen more persons were injured, mostly spectators, as a result of lathi charge by the Police bringing the number of injured to thirty-five. Eleven more salt raiders and some Police Officers were injured in a clash which occurred after sun-set. The Police opened fire. A Government press note about the raid said that volunteers conducted themselves in a more or less orderly fashion and were subjected to certain discipline.

**25th. Convictions.**—Pandit Govind Ballabh Pant, ex-leader of the Swaraj party in the U. P. Council was arrested for breach of the Salt Act. He was sentenced to six months' imprisonment. Sgt. Ranchhodlal Amratlal who led the batch to Dharsana on this night was arrested at Bareilly station and was sentenced on the next day to two months' rigorous imprisonment and fine of Rs 100, or, in the alternative, to undergo one months' further imprisonment.

**26th. Indian Debate in Commons.**—A full-dress debate on India was initiated in the House of Commons by Lord Winterton, who said that there was not much substance behind the 'Gandhi-cum Communist' movement and considered it dangerous to parley with Extremists when they were breaking laws.—Colonel Wedgwood feared that it would be impossible for the Round Table Conference to put matters right.—Mr. Benn, replying, said that the movement was confined only to urban sections and that, with comparatively few exceptions, Mahomedans had held themselves aloof. Mr. Benn assured the die-hards that Self-Government for India would not affect "the economic prosperity of these islands."—General Knox urged greater use of the military, while Commander Kenworthy observed that there was "nobody in India to whom the reins of Government could be handed over"—Mr Benn protested when Mr. Brockway read out Moulana Abdul Qadir's statement about Peshawar.—Mr. Bockett defended Mr. Brockway and said that Mr. Benn was no more able to vouch personally for the accuracy of the official statements than Mr. Brockway for the statement he had read.—Mr. W. J. Brown declared that the last thing a Labour Government ought to do in India was to carry out the "dirty work of British Imperialism." He held Mr. Benn responsible for creating anarchy in India.—Mr. Benn added that he did not regard force as being a remedy as they were dealing with an insurgence of national and racial aspirations. But his remedy was the Round Table Conference intended to solve difficulties, "largely Indian difficulties", whose solution must be sought from Indian opinion. He added "If in this Conference substantial agreement is reached, no Government would be likely to ignore its work when it came to present its proposals to Parliament."

**Police Firing in Bombay and Lucknow.**—The Police opened fire on a crowd at Bhendibazar, a Muslim quarter in the city of Bombay, resulting in four killed and fifty six injured. The disturbance, according to a Government communique, started all over a dog belonging to a Mahomedan.—The Police also fired on a crowd at Lucknow. Later, a man was found lying dead on the road.

**27th. Pandit Malaviya and his party** were arrested at Campbellpore under the Frontier Security Regulation of 1922, as amended by Regulation 3 of 1923. He was subsequently released.

**Passing away of His Highness Maharaja Fatehsingh Bahadur of Udaipur** at ripe old age.

**28th. The Peshawar Riot Sequel:**—Giving evidence before the Official Enquiry Committee into the happenings at Peshawar on 23rd April, Mr. Saddaullah Khan, City Magistrate stated that the crowd was perfectly non-violent in the beginning. He repeatedly warned the authorities against the employment of the military. The crowd, he further remarked, had no sticks and was melting away after the surrender of two Congressmen who were wanted by the Police.

**29th. Parsees' Sympathy with Mahatma.**—With a view to demonstrate their sympathy with the ideals of Mahatma Gandhi, the Parsees of Bombay took out an impressive procession in the evening and passed through the principal city thoroughfares. It was a cosmopolitan procession but the majority included about 50,000 Parsees including 2,000 ladies. The procession was headed by leaders carrying

four portraits, namely those of Mahatma Gandhi, Mr. Nariman, Dadabhai Naoroji and Sir Phirozeshah Mehta and also big placards inscribed 'No conference without Gandhi', 'No peace possible without the co-operation of Gandhi', 'Country cannot go on without peace' etc. The procession also raised cries of 'Gandhi-ji-ki jai' and 'boycott British goods.'

*The Lillooah Firing* —Police opened fire on a large crowd of Lillooah railway work-shopmen with the result that four received injuries. It was reported that the trouble arose over the introduction of the Railway Board's monthly wages system in the Lillooah railway workshop.

*The Dharsana Raid* —Several of the volunteers received injuries as a result of lathi charge by the police in course of a raid on the Dharsana salt depot by a batch of 75 Maharashtra volunteers who came from Vila Parle. They were arrested, brought to Bulsar by train under police escort and then let free

**30th.** *The Viceroy issued two Ordinances* to counteract picketing, non-payment of taxes and tampering with the loyalty of Government servants.

**31st.** *Pabna Disturbance* —Four men were injured as a result of a lathi charge by the police upon a crowd which had assembled in the town-hall compound on this evening with the object of holding a public meeting in spite of the prohibitory order and of reading extracts from proscribed literatures there. Four others, including a local pleader, who were sitting in the Congress office compound opposite the town-hall, were similarly injured as brickbats were reported to have been hurled towards the police from that direction. Later, a party of constables armed with regulation lathis under the command of a subedar patrolled the streets acting against the order of the Superintendent of Police and assaulted several passers-by and shop-keepers causing personal injury and damage to property.

Several of the volunteers who made a raid on the Dharsana Salt Depot were injured as a result of lathi charge by the Police. Eight of them were brought to Untari Camp hospital.

Mrs. Sunitidevi Mitra, Lucknow's Congress Dictator, who was arrested on the 25th, while leading a procession, found guilty under Section 143, I.P.C. and sentenced to 6 months' simple imprisonment.

## June 1930

**Chief Events** :—Dharsana and Wadala salt raids continued—Picketing continued to be the main Congress activity followed by arrests and convictions—The Congress Working Committee and Congress bodies in Andhra, Punjab and United Provinces declared unlawful associations—Pt Matilal Nehru arrested.

**1st.** *The Wadala Salt Raid* :—Nearly 15,000 to understand spectators participated in the mass raid, which started at 8 a. m. at Wadala. Successive batches marched up to the Port Trust level-crossing when the swelled crowd were held up by a police cordon. Soon, the crowd broke through, and the raiders among whom were women and children, splashed through slime and mud and reached the pans. After an ineffective warning, the police charged the crowd with lathis and drove a large number back. By 9, the struggling batches of raiders were returning from the pans tired and mud be-spattered, but triumphantly displaying bundles of salt tied up in handkerchiefs. Shortly after 9, Mrs. Munshi and 8 Sikh ladies, including Srimathi Harnam Koul, were arrested while making persistent efforts to cross the wire-fencing despite police warning. The raid went forward with undiminished vigour and punctually at 12, the Congress officers called off the raid. The total number of injured was estimated at 35, about half-a-dozen being serious.

*A meeting of the Bombay medical practitioners* passed a resolution condemning the "violations of the laws of humanity committed by the Government authorities against non-violent Indian men, women and children in the present struggle for the liberation of India," and urging boycott of foreign drugs, preparations and appliances of British manufacture, and drawing the attention of the authorities of the Red Cross Societies and St. John Ambulance Association to the callous policy

of not providing ambulance and other necessary medical facilities for the treatment and conveyance of the wounded, and appealing to them to take proper measures for enforcing the rules providing necessary facilities on such occasions—Dr. Nunan, President, St John's Ambulance, explaining the absence of the St. John Ambulance Corps, said that he did not send ambulance cars because he read in the papers of the wonderful Congress ambulance organisation, and thought that his help was unnecessary.

**2nd. Bengal Ordinance Victims**—In the Commons, Mr. Benn informed Major Graham Pole that 149 persons had been detained since the revival of the Bengal Ordinance. Of this 8 others also arrested 5 had been released and 3 convicted of specific offences.

**3rd. Bombay Muslims' Congress Sympathy**—A mile-long Moslem procession consisting of Pathans, Borahs and other Moslems headed by Mr. S. A. Brelvi, Editor of the "Bombay Chronicle," Moulana Ahmed Sayyed, Secretary of the Jamiat-ul-ulema and other prominent Muslim leaders paraded Bombay thoroughfares with a view to demonstrate Muslim sympathy with the Congress activities.

**Bombay Graduates condemn repression**—"There is no contribution, however small, which you may make which is not needed, badly, urgently and immediately, in the advancement of the great national movement inaugurated by Mahatma Gandhi. This is your last chance, if you miss this you miss your freedom."—This was the fervent exhortation of Sri. Bhulabhai J. Desai to the graduates of the Bombay University who in one voice expressed their severe condemnation of the methods of repression adopted by Government to suppressing the non-violent civil disobedience movement, at a public meeting held in the Blavatsky Lodge.

**The Dharsana Raid**.—Two batches of volunteers numbering about 200 were led in the morning from Untadi camp to raid the Dharsana salt depots. Both were held up by the police with lathi-charges when the crowd entered the prohibited area. The injured men were taken to the camp hospital.

**Lathi Charge at Worli**.—12 undertrial salt raiders detained in Worli were seriously injured and rendered unconscious as a result of lathi charge by the Police following the prisoners' rush to pull down the barbed wire entanglements in connection with which the Police and the Military forcibly removed women Satyagrahis who objected to the strengthening of the wire fencing.

**The Midnapur Riot**—A serious riot was reported to have occurred at Chechua-hat in village Daspur, district Midnapur, in which two police sub-inspectors and four constables were attacked by the villagers. The constables were injured and their uniforms, arms and ammunition, were taken away. Both the sub-inspectors were reported to be missing.

One man was killed and another wounded in consequence of Police firing at Cholinganallur, a village about 20 miles from Madras in connection with the violation of the Salt Laws.

**4th.** 130 volunteers who formed the second batch of Wadala raiders were each sentenced to undergo three months' rigorous imprisonment. Another batch of 11 Wadala raiders were sentenced to three months' rigorous imprisonment.

**5th. "Gandhi Day" in Bombay**.—The "Gandhi Day" celebrated in Bombay as a mark of protest against the Mahatma's arrest with a mile-long procession headed by ladies and followed by Pathans, Muslims, Gujeratis, Sikhs and Mullanis. The procession paraded the main streets in complete silence. Over thirty mills were closed due to about sixty-five thousand workers downing their tools in celebration of the day of Mahatma's arrest.

**6th. A final raid on Dharsana** was made in the morning when 187 volunteers from Kaira, Panchmahals, Travancore, Karnatak, Karachi etc., were sent. After they entered the prohibited area and proceeded some distance, they were stopped by the police. After standing for some time, they all sat down. The police asked them to disperse. A few volunteers retreated. When Mr. Dinakar Mehta, member of the "War Council", who was among the volunteers, tried to proceed further, he was stopped. Soon a lathi charge was made. Some more volunteers began to withdraw, while those that continued sitting received lathi blows. Those who were injured were taken on stretchers to the Untadi Camp hospital. The police charge lasted for about 15 minutes.



- 6th. Mr Waman Mukadam, ex-M.L.C. who arrived at Dharsana with a batch of volunteers from Panchmahals, was arrested under Section 145, I. P. C. and taken to the Dharsana Police lock-up. He was sentenced on the next day to two years' rigorous imprisonment.

*Raid on Bombay "Congress House"* —At two in the afternoon a force of six hundred lathi and armed police led by thirty European and Indian officers appeared and quickly formed a cordon round the Congress House and its approaches while a small party of police headed by the Deputy Commissioner of Police entered the Congress House and conducted a thorough search of the premises for about two hours after which they retired after arresting six members of the Bombay "Wai Council" including Mr. Jmabhai Joshi, President, Manibhai G. Desai, Secretary, Congress Committee and Gopendranath Sharma, Captain of the volunteers. All arrests were made under Section 188, I. P. C., for the publication of the Congress Bulletin contrary to the Chief Presidency Magistrate's order dated 15th May.

- 7th. *Police Firings* —The police opened fire on a large crowd at Balisai in the district of Midnapore as a result of which twenty five persons received injuries three rather seriously.

Six persons were reported to have died and 25 sustained injuries as a result of Police firing on a crowd at Chechuahat in Ghatal in connection with a disturbance. It was alleged that one of the police Sub-Inspectors had been done to death, the other was missing.

- 8th. Two persons were killed and six seriously injured as a result of Police firing at Vellore in Madras.

About one hundred persons were injured as a result of lathi charge by the Police on a crowd near the Bihpur Ashram in Bhagalpur.

*Calcutta Arrests* —Forty-six volunteers were arrested in Burrabazar, Calcutta in the last three days under the Picketing Ordinance. Sixteen of them were sentenced to suffer one month's simple imprisonment.

- 9th. *A Bulletin issued with the Congress Working Committee's resolutions* commenced with a long survey of the progress of events in all parts of the country, since its last meeting and put on record its thankful patient endurance of suffering displayed by the people and warned Government that no end of lawlessness committed in the name of law and order will deflect the people from their determination to win Swaraj at all costs. The Committee then criticised the repressive policy of Government at some length and called upon the country to face the situation bravely. The Committee also congratulated the women Satyagrahis, and dealing with the Muslims and their part in the movement assured them that the Congress would at all times respect the liberty of all religions and cultures in India.

- 10th. *Sj. Das-Gupta Arrested* :—Sj Satish Chandra Das-Gupta, President, Bengal Council of Civil Disobedience and 85 Congress officials and volunteers were arrested in Calcutta following Police raids on the offices of the Bengal Council of Civil Disobedience, Bengal Provincial Congress Committee, and Burrabazar Civil Disobedience Committee. He was sentenced on the 16th. to one year's R. I. on a charge of sedition in connection with the publication of Satyagraha Bulletins.

More than fifty people including Sj. Rajendra Prosad, Professor Bari and Baldeo Sahay were injured as a result of lathi charge by the Police on a procession in Patna.

*Indian Christians of Bombay* in a meeting adopted resolutions recording that the Bombay Indian Christians were at one with the other communities to win complete Swaraj for India at the earliest moment possible and opined that absolute non-violent Satyagraha was in no way against the teachings of Christ.

- 11th. *Madras Satyagrahis Sentenced* :—Three volunteers, who were arrested on the previous day for disobedience of Section 144 by addressing a public meeting in furtherance of Civil Disobedience campaign, were sentenced to six months' R. I. each. Mr. Vepa, Barrister, and 17 others, among whom were many Advocates, were sentenced to one year's R. I. each at Guntur. Mr. Gopalkrishnaiah, Satyagraha leader of Mausulipatam, was arrested under Salt Act and sentenced to six months'

B. I. and to pay a fine of Rs. 1000 in default to undergo four months' imprisonment more.

**12th. Midnight demonstration in Bombay.** —The Bombay streets teemed with hundreds of processions, big and small, following the Police Commissioner's ban on the procession proposed to be taken out in the evening by the Congress to celebrate the 'Sholapur Day.' In an attempt to disperse some of the procession the police charged them with lathis, resulting in injuries to about 30 who were removed to the Congress hospital. Congress ambulance men with field equipment were kept running along the route picking up wounded and rendering first aid. The police cordon round Congress House was removed just after midnight and the Desh Sevikas and other processionists marched to Esplanade where the meeting was going on.

**14th. Mechuabazar Bomb Case** —Sentences ranging from ten years' transportation to three years' rigorous imprisonment were passed by the Alipuri Special Tribunal on 17 of the accused in the Mechuabazar Bomb Case who were charged with conspiracy to possess and manufacture explosives for unlawful purposes. Eight of the accused were acquitted but four were re-arrested under the Bengal Ordinance.

**15th. Police Raid in Calcutta.** —120 Congressmen were rounded up in Calcutta following Police raids on the offices of the Civil Disobedience Council, North Calcutta Congress Committee, Abhoy Aram, Burrabazar Congress Committee, Burrabazar Civil Disobedience Council, Jorabagan Congress Committee and the B. P. C. C.

**Picketing in Bombay** —The "Wai Council" of the Bombay Congress Committee renewed picketing activities in a more intensive form. Three hundred volunteers were sent out from the Congress House to picket liquor shops in the Byculla and Parel areas from morning till night—Workers in several Mills joined together and decided on the social boycott of those who wear foreign cloth and those who are addicted to drink.

**15th. Picketing in Bombay.** —A large and excited crowd mostly of Parsis had been demonstrating throughout this afternoon in front of Whiteaway Laidlaw where a strong police force with several sergeants and officers was quartered in connection with the arrest of the pickets. A report got abroad that a picket had been assaulted there and soon a crowd gathered. The police attempted to disperse them and, in doing so, knocked down two Parsis who were waiting for a tram-car. This attracted more Parsis to the spot and a swelling crowd which kept constantly jeering at the police party. More police arrived with the result that there were 60 men with 12 sergeants and officers. The demonstrations continued and the police made several charges with light canes and at 6 p.m. the sergeants charged the crowd with lathis resulting in injuries to ten persons including three Parsis and one Mussalman who were removed to the Congress hospital. Two of the injured were said to have been standing in the entrance hall of the Petit Library situated nearby. Late in the evening the police withdrew to a side street but the crowd persisted evidently waiting for the police to withdraw completely.—In contrast with this, picketing of liquor shops in the northern part of the city was proceeding peacefully. Twenty volunteers were placed in front of as many shops as there were from Lalbagh to Dadar.—The incidents on the Hornby Road had an echo in the Bombay Corporation, which, on the motion of Mr. L. R. Tairree, was adjourned as a protest against the enforcement of the Ordinances. Shortly before 8 p.m. the police made two more lathi charges resulting in a number of casualties. Armed police came on the spot later and under cover of their presence the police withdrew. The crowd also dispersed. The police version of the incident leading to injury to two people in the entrance hall of Petit Library was that a sergeant, who was chasing the crowd in front of the library, was dragged into the hall and assaulted. Three more sergeants rushed to rescue him and injuries were caused in the melee.

**Pickers arrested in Calcutta:**—For five times during the day, the office of the Bengal Provincial Congress Committee was raided by the police who arrested thirteen men including the durwan. Four hundred copies of Congress Bulletin were seized. Police also arrested sixteen picketers in Barrabazar.

**15th. Pandit Motilal Nehru**, Acting President of the All-India Congress Committee, arrived in Bombay and was given a hearty welcome.

**18th.** Distributing leaflets to members of the police force which the court held "were calculated to engender a spirit of disobedience and feelings of disaffection towards the Government", Sjt. Minoo Coyajee, a Pansi Congressman was sentenced to six months' rigorous imprisonment and a fine of Rs 200 or in default to six weeks' further imprisonment by the Chief Presidency Magistrate, Bombay.

*Picketing continued to be the main Congress activity in Bombay.* In the Fort area, Whiteaway Laidlaw and Co. was marked out for the mobilisation of efforts. A C. I. D. Habildar in Multi, standing among the spectators, was mobbed by the crowd who alleged that he had attempted to throw a stone on the Whiteaway show-case.

Udayavanam, the headquarter of the Madras Satyagraha, was raided by the Police and all the inmates were taken into custody.

In Midnapore district, in Bengal, a number of prosecutions were started and some of the men were bound down in connection with the campaign for the non-payment of the Choukidari tax.

**21st. Lathi Charge in Bombay**—Thousands flocked towards the Maidan expecting sensational developments from the announcement of the Bombay Congress Committee that in defiance of the Magistrate's order it would hold a big rally of the National Militia for inspection by Pandit Motilal Nehru. Batches of volunteers carrying the Congress flag converged towards the Maidan and attempted a formation when a posse of constables armed with lathis charged them. About 20 lady volunteers and 25 Sikh volunteers refused to budge from the Maidan, all sustaining injuries. Subsequently the entire police around the Maidan withdrew, whereupon the volunteers and spectators re-occupied the Maidan and demonstrated. As the volunteers were about to parade, the police rushed again to the scene and charged them with lathis. The mercantile community observed a hartal and organised a procession in the evening as a protest against these lathi charges. This procession was also dispersed by lathi charge. In all nearly 250 persons received injuries.

*Andhra Congress Bodies Banned.*—By a Gazette Extraordinary the Madras Government declared the Andhra Provincial Congress Committee an unlawful association within the meaning of Part II of the Indian Criminal Law Amendment Act. Similarly they declared Guntur, West Kistna, East Kistna, West Godavari and Bezvada "War Councils" as unlawful associations, because in the opinion of the Government they were interfering with the maintenance of law and order and constituted a danger to public peace.

*Gandhi Cap Banned.*—The following was the Guntur Magistrate's novel prescription to maintain public peace:—"Whereas the public tranquillity has been disturbed by the Civil Disobedience movement, whereas information has been received that a notice is being printed to disturb the public tranquillity by inciting the public to wear Gandhi cap which is a symbol of ones sympathy for the Civil Disobedience movement, I. F. W. Stewart, I. C. S. having considered it my duty to maintain public peace, hereby direct that the public should not wear Gandhi cap in any place frequented by the public within the limits of Guntur Municipality and a radius of five miles therefrom for a period of two months from this date."

**25th. London Indian Women Condemned Government.**—A crowded meeting of Indian women of all section in London under Mrs. N. O. Sen passed resolutions condemning the incarceration of Mahatma Gandhi and others and the repression with a heavy toll of innocent lives and demanded that all political prisoners including Garhwal soldiers and Meerut be unconditionally released and repression abandoned. Any negotiations proposed at the Conference will not be recognised by the Indian people unless Gandhiji participated. Another resolution reminded the communal and political leaders of India that their participation in the Conference in the face of national opinion would add one more to those acts of perfidy and betrayal of the motherland which have enslaved the whole nation. The resolutions were supported by Hindu, Moslem, Christian and Parsee ladies.

*Arrests and Convictions.*—Achary I. Gidwani, Lalji Mehrotra, and Swami Govindanand were arrested and charged under Section 47 of the Salt Act. Trial of the two first named was held inside Karachi Jail before the City Magistrate and

they were each sentenced to one year's rigorous imprisonment. —In Calcutta Srimati Urmila Devi, President, Bimal Prithvi Devi, Secretary and Jotirmoy Ganguli and Mohini Devi prominent members of the Nari Satyagraha Committee, as also Mr. Padmaraj Jam Secretary of the Bara Bharat Congress Committee, were all sentenced by the Chief Presidency Magistrate. The ladies were given six months S. I. and the rest six months R. I. They were charged for leading a procession in celebration of the Deshbandhu Anniversary in defiance of a prohibitory notification.

**Punjab Congress Organisations Banned** —The Governor-in-Council declared unlawful the following Associations under the Indian Criminal Law Amendment Act, 1908 as they "interfere with the maintenance of law and order and constitute a danger to the public peace" —(1) The Punjab Provincial "War Council", (2) The Amritsar District War Council, (3) The Punjab Provincial Satyagraha Committee, (4) The Punjab Provincial Naujawan Bharat Sabha, (5) The Punjab Provincial Naujawan Bharat Sabha Committee, (6) All Naujawan Bharat Sabhas throughout the Punjab, and (7) the Workers' Training College Lahore otherwise known as the Workers' Home.

The U. P. Government declared for the resolution of the All-India Congress Working Committee about the Military and Police forces, adopted at Allahabad on the 7th June.

**26th.** An emergent meeting of the Punjab War Council was held to consider the further line of action in view of the Government's declaration holding it an unlawful body under the Criminal Law Amendment Act. The council unanimously decided to defy the said Act. For this purpose, thirty new "War Councils" were formed.

**28th. Gujarat College picketing** :—At the intervention of Mr. Vallabhbhai Patel, who was released on this day, the situation regarding the Gujarat College picketing which threatened to be very acute, was saved. The authorities arrested about 115 volunteers and took possession of the Satyagraha camp. The situation was getting worse as the volunteers had barred the way to the college. When Mr. Vallabhbhai arrived on the scene, he had a long talk with the Principal of the College in company with the District Magistrate and the D. S. P. and as a result a compromise, honourable to both sides, was brought about. It was arranged that police pickets should be withdrawn from the next day while the volunteers would continue peaceful picketing from a distance of 30 feet from the College Gate. As a result of the compromise, all volunteers arrested on the 27th. June were released by the authorities.

**29th. Bombay Students' Conference** under the presidency of Mr. Vaidya passed resolutions among others declaring complete independence to be the students' immediate goal and congratulating the "victims of Government repression" and calling on students to help the national movement in every way in their power. A resolution related to boycott of colleges. There was a well-supported amendment as well as downright opposition, and consideration of it was postponed.

**30th. Pt. Motilal Nehru arrested. Congress Working Committee declared unlawful association** :—Pundit Motilal Nehru and Doctor Syed Mahomed, President and Secretary, respectively, of the All-India Congress Working Committee, were arrested at Allahabad. The United Provinces Government in consultation with the Government of India declared as unlawful associations the Congress Working Committee, and also all the Naujawan Bharat Sabhas in the United Provinces, on account of "deliberate defiance of the Government". The United Provinces Government also extended the Criminal Law Amendment Act throughout the United Provinces.

# India in Home Polity

## Introduction

### I. EBB AND FLOW IN THE COURSE OF EVENTS

"There is a tide in the affairs of men which, when taken at the flood, leads on to fortune." This is a poetic vision of a fundamental truth. Not only the fortunes of individuals, but those of nations, not only the career of a particular movement, but the course of history itself seem to be governed by the law of ebb and tide. It is idle to pretend that science or, for the matter of that, philosophy has ever understood the riddle of rhythmic pulsation, the puzzle of periodicity in the life of world-events. This periodicity and pulsation is in evidence in great things and in small. It can be read in the latest message of the atom. Science has recorded it, and she is puzzled over it. Statistical science has noted the curvature in the graphs of sundry orders of events. But its exhibition of the underlying *ensemble* of conditions has, for the most part, scarcely thrown any light on the fringe of the inscrutable mystery of the ebb and flow in the course of events. It is well to remember this, for often we assume principal role in a drama in which we are but tools and accessories.

It is also well to remember this, for otherwise we shall expect a condition, individual or national, high or low, to continue longer than it has a natural warrant to persist and a given movement running a straight and uneven course irrespective of the natural conditions—the topography of the field of natural forces—which tend to turn its course in bends and make its momentum rise in floods or descend in falls. We stand on the beach of the moving ocean of History. The towering, proud crest of an advancing wave arrests our gaze. It is the climax of a given movement. It has reared itself up in triumph out of hollows, and wears a jewelled crown of spray on its head blazing in the sun. It is a movement that has been acclaimed as one of great promise and hope by a sympathetic or impartial world opinion. We are proud of it, and stake our highest hopes on it. We hope that its sure and continued progress will carry us to the Haven of Promise. But as we watch, the towering crest of the wave first nods and then droops, its majesty falls, its glory fades and its promise is held in abeyance. The movement subsides and apparently dies down. Its effort does not appear to justify itself in its achievement. Its gains do not seem to overbalance its losses. Its stimulation and excitement are seen to be followed by a reaction of fatigue or despair or both. We lose heart, and some of us, even hope. But as we wait on the beach, and strain our eyes for a reassuring hint of a travail of new birth, we see before us, ere the echoes of the last crash have died away, an wave of new and more powerful urge rising in its plenitude of strength out of an unsuspected bottom of silent preparedness. So the last movement was not really lost: nothing dynamic is ever lost. It simply passed from a condition of patent activity to one of latent activity, from a phase of actual operation to one of preparedness which is noth-

ing but the possibility of continued and, perhaps, more effectual operation. Such alternation of wakefulness and sleep, toil and rest, is not without its use in Nature's economy. Vital movements in religion, in the efforts of social and political betterment, in the march of knowledge and art, illustrate, in their wave-like, up and down career, that Nature's economy is wiser than all our calculations, that it is more provident than all our preparations. It conserves where we have apparently lost, it continues and nourishes after we have left off, and it succeeds where we have failed, and given up hope.

## II. REQUISITES FOR THE APPRECIATION OF NATIONAL MOVEMENTS

Certain things should, therefore, be kept clearly in view in order that we may be in a position to appreciate the incidents as well as the accidents of a given movement. And particularly should we beware in the case of a movement which is of a national magnitude and importance, which has gathered its vital impetus from many tributaries, and the operative switch-board of which is a perfect picture of interlocked complexity. In the first place, we should remember that the movement is shaped and directed much more by a power greater and wiser than ourselves than by our own concerted plans and conscious efforts, though of course these latter also count, and are indispensable in a way. By our effort we make the connecting wire between us and a Battery of practically infinite dynamism a live wire for the flow of energy to supply the deficiencies of our own limited and depleted cells. Whether we call that power, greater and wiser than ourselves, God or the Genius of a race or only Mass Subconsciousness, it is there, and it is both blindness and folly to fail to feel and appreciate its presence. In the second place, it follows from this that any movement will naturally present a contour of wave-form, with its apex or climax, and slopes leading to, and away from it. We have to expect advances and retreats, epochs and transitions. A wider outlook and a more entire perception will save us from the lure of many false appearances, and spare us faint-heartedness and unwarranted disappointment. In the third place, we should concert our plans, in such light as may be vouchsafed to us and in such humility as always becomes us, with reference to the tide as well as to the ebb, the climax as well as to the anti-climax, in our corporate affairs. Our efforts should also be put forth trustingly and unceasingly. For, when the spark from the hidden-away Battery should come, it should fall on powder kept dry in us, otherwise, it will not stir up and release any effective force.

## III. APPLICATION TO THE PRESENT NATIONALIST MOVEMENT

All this is pertinent to an understanding of the present nationalist movement in India. History is now being made in India, if history can anywhere be made. It is not being made in the Round Table Conference, but on the far-flung plains of India itself. It is not being forged on the comfortable cushions in the midst of regal splendour, but on the iron anvil of the nation's will to be free and suffering. The closing days of the last year were already pregnant with the augury of an Epoch of Indian History being in the throes of a speedy birth. Yet the conscious preparedness of the nation was certainly not such as to justify a hope that the travail would be so

mightily real, and the birth of the new order would draw so awfully near. Within the last quarter of a century we have had two movements of a vital and deep-acting nature—the Partition Agitation and Swadeshi in Bengal, and the All India Non-co-operation Movement. Both had stirred the nation to its inmost depths, and both had been marked by unprecedented mass awakening and response. Both these movements, again, had sprung out of a precondition of unpromising material in the shape of conscious national feeling and preparation. The Congress had indeed begun to voice the aspirations of India since the eighties of the last century. And even before that certain general causes, of which it may be possible to take stock, had been operating for the gradual awakening and political uplift of India. We may refer to India's partly solicited and partly unsolicited contact with virile Western peoples, ideas and institutions; her passing under the British rule and the gradual breaking of her own immemorial institutions, in which she had managed to live as a social and cultural integer, apparently unaffected by many political revolutions; the release of national force due to the slackening of the social and cultural brake, making it possible and natural that the national energy so long locked up in the stabilising of cultural institutions, and operative in fields and spheres other than political, would now be directed to political channels, and be available for the awakening of political consciousness and the stimulating of the motor nerves of political activity. The phenomenal economic drain and consequent impoverishment of India due to foreign exploitation, making both famine and pestilence chronic in India: the disappearance of India's autonomous village communities under which it was still possible for India, though in political bondage, to possess a little of the substance of independence and enjoy a real morsel of economic contentment; the disarmament and consequent emasculation of the people, creating in them a distinction of martial and non-martial races, and inducing a sense of general helplessness and dependence in the matter of even private self-defence;—these are some of the causes that have conspired to assist and accelerate the process of political awakening in India. These have turned India's mind round to the fact and problem of her political dependence, and given a new orientation and direction to her operative forces. It should also be borne in mind that in thus rising to a consciousness of political values, India has not stirred in isolation within the bounds of her snow-clad mountains and deep-blue seas. India's awakening has undoubtedly been an episode in the general incident of pan-Asiatic awakening—the assertion of Asia's right to live as an independent continent, sovereign in her political relations, and proud in the possession of an ancient and still unsurpassable civilisation and culture. The Russo-Japanese War proved a potent solvent in the disintegrating of the inferiority complex that had sat upon the soul of the East like an incubus. Japan could do, with a reshuffling of her own resources, what any other Power could do. And what Japan can do, any other Asiatic race may think it possible for it to do.

#### IV. THE PATENT CAUSES OF INDIAN AWAKENING

These are some of the causes that we can note without much effort of reflection and analysis. Any one called upon to prepare a

background for the understanding of the Indian situation, would seize upon these and catalogue them. But it ought to be clear that these contributory factors, neither in their single or in their cumulative effects, draw up anything like a complete or even adequate account of the etiology of the Indian unrest. For, the Indian unrest is not as unrest in any other country is. Its magnitude is such as could hardly be expected from a race, or a congeries of races, politically inert, economically destitute, and physically deteriorated for centuries. It is of course true that India's condition had not been so abysmally low in the farther past, despite the fact of her political dependence, as it lately was. As we have seen, the Indian classes and the masses possessed a large measure of substantial freedom in matters of everyday life, both secular and religious, during the Mahomedan rule, and even during the era of early British occupation. Apart from the autonomy of village life ensuring the preservation of India's special heritage of culture and India's distinctive modes of living, the Mahomedan regime had not so effectually blocked the avenues for the satisfaction of India's administrative and martial hopes and ambitions as the British regime blocked them. And what is more important, the Mahomedans had come as aliens, but they had come to stay as the adopted children of the soil, identifying their interests with those of their elder brothers and sisters. But these reassuring features of the Indian situation had practically disappeared—though other silver linings had been coming into relief—when towards the close of the last century and, more clearly, since the commencement of the present, signs of a political resurrection of India began to manifest themselves.

#### V. THE FIRST BACKGROUND OF THE INDIAN NATIONAL CONGRESS

In spite of the faint glimmerings of the coming political dawn when the Indian National Congress began its first sittings, the darkness of India's slumber and prostration was apparently complete. The teeming millions of India had not yet opened their eyes to the cheery effulgence of the morning star of Hope just risen on the horizon, and had, as yet, no suspicion of the breaking of a new day of Glory. Only a few stalwarts had heard the Mysterious Knock, and opened their windows in wondering response. They were hopeful, and yet uncertain. A new day was breaking to be sure. But when, and after how long an waiting? What was the new order going to be like? What was to be the path along which the nation was to march to accost and acclaim the New Dispensation? Was it to be constitutional agitation merely, or something else? Violence or Non-violence? Was there any inkling as yet of the possibilities of passive resistance or civil disobedience? The pioneer Congress began to ventilate the grievances of the people, draw up petitions of administrative reform, and was always careful to season its protests with professions of credulous loyalty to British sense of justice and fairplay. The vital matter of Swaraj or Responsible Government was, by tacit consensus of opinion and conviction, regarded as practically lying beyond the range of real politics. It was a far-off divine event only to which the whole Indian destiny moves. The word Swaraj itself could not be spoken or heard beyond the range of a whisper. It was the Grand Old Man of Bombay—Dada Bhai



Naraji—who had the courage to put on the word Swaraj the seal of the Congress President. It has since been given the royal imprimatur also, and, has now perfectly passed muster. Not merely is the word in common use, but the thing itself is now in sight. After the last Lahore Congress, even Mahatmajī put the Indian case in the form of a disjunctive proposition—"Whether the attainment of Swaraj takes a year or ages." But even so soon as at the close of the month of June, India found herself in a position to amend the latter alternative—"or ages." Whether India is going to have Responsible Government within a year or not, it is now patent that that consummation cannot be delayed far beyond a decade.

## VI. THE PHENOMENAL MARCH OF EVENTS

The march of events in these months have "covered the track of centuries." Yet this result could not be foreseen in the earlier days of the Nationalist movement. Later, after the anti-Partition days, when Lord Morley—the biographer of Rousseau and Gladstone—said that as far as his imagination would stretch, he could not visualise an India attaining full self-government, and used the fur-coat argument to justify his reluctance to give India even the rudiments of Parliamentary institutions, our publicists of course rushed to the platform to voice the wounded self-respect of the nation, and speak in suited accents words of customary protest. But they knew in their heart that, though perhaps the noble Lord had allowed his point to be carried a little too far by his love of rhetorical expression in a case that demanded a clear and unvarnished statement above everything else, he had spoken the truth nevertheless. And yet the nation had a fore-taste of its innate strength and a pre-vision of its grand possibilities in the anti-Partition agitation. Even so late as after the last Lahore session of the Congress, after the Independence Resolution had been passed and Civil Disobedience had been chosen as the path leading to the attainment of the goal, Mahatmajī had to admit that the necessary precondition for the successful offering of mass civil disobedience in a non-violent manner did not exist. He writes in *Young India* (January 9): "The greatest and the most effective sanction is civil disobedience including non-payment of taxes. ...I must confess that I do not see the atmosphere for it to-day....It may be impossible to offer civil disobedience at this stage in the name of the Congress, and it may be necessary to offer individual civil disobedience without the Congress imprimatur and apart from it. But just now everything is in the embryonic stage....Granted a perfectly non-violent atmosphere and a fulfilled constructive programme, I would undertake to lead a mass civil disobedience struggle to a successful issue in the space of a few months." But it was clear to Mahatmajī at the time of writing this that the condition precedent to the carrying of the struggle to a successful issue was non-existent, and that there could be no denying the fact of mass unpreparedness during the epochal period when at Lahore the Congress held its momentous session. The All-India celebration of the Independence Day later, supplied of course a measure and index of the strength of the national feeling, but the measure, great as it was, and the index clear as it was, could not, as yet, be taken to be great enough and clear enough for the purposes of the grim struggle

that was to follow, and that was to be carried on in the face of the determined and organised opposition of the Government. The struggle, once begun, was to be carried on not only with unabated vigour, but in a non-violent manner. And the position of Mahatmaji, who was placed at the helm of the Congress affairs in so far as the programme of civil disobedience was concerned, was not simply this that the Congress itself must function non-violently—a condition which might comparatively easily be fulfilled,—but that the Congress should try to create an atmosphere, inside and outside itself, that is to say in the country, unfavourable to the functioning of the germs of violence which undeniably were “in the air,”—a condition admittedly most difficult to fulfil. A Chauri Chaura had wrecked the Non-cooperation Movement at its full speed. And a thousand such, and possibly more perilous, rocks were ahead, lurking beneath the treacherous placidity of mass consciousness, and the pilgrims to the haven of Freedom had to steer their Congress bark not only clear of scylla of half-hearted direct action, but of the charybdis of violent action. As later events proved, that though the civil disobedience campaign started by the Congress was able to maintain, conspicuously so as to merit the recognition by all impartial and appreciation by all sympathetic observers, Indian or foreign, its character of non violence, it was not able to the same extent to keep all the elements of violence in the land in check. In fact, the Indian situation has presented the picture of a tangled skein in which the white threads of non-violence and red threads of violence have been woven together. The clear, sparkling stream of events has an undeniable scarlet tinge. Not only Indian blood but the blood of the foreigner has flown into it. Yet Congress hoped to be able to provide against such mixing of the two bloods.

## VII. THE BACKGROUND OF NATIONAL STRENGTH

In any case, it can no longer be pretended that the present movement has lacked strength and vigour. A tardy and cautious admission of the strength and intensity of the movement can now be wrung even out of official despatches and pronouncements. The nation has offered a large-scale mass civil disobedience, and has shewn itself capable of putting forth a sustained effort. The question has been asked—Where was this so long unsuspected magazine of strength? The Anti-partition agitation and the Non-co-operation movement had given, the latter more assuredly than the former, the nation a foretaste of its vast latent strength. But both the waves of upheaval had retreated, and apparently died down, and had been followed by lulls of inaction, if not reaction. Of course much foam and froth had been left by those retreating waves of movement. It is true also that beneath the apparent calm, the surface-consciousness of India was boiling in the repressed momentum of the past excitement, indicating a depth simmering in tense preparation for a fresh and even mightier upheaval. But it was not easy to catch the indications in a sure grip of assurance, and to read them in a sure light of understanding. Even Mahatmaji, as we have seen, thought that the conditions for the offering of non-violent mass civil disobedience were absent when the Lahore Congress resolved “in favour of offering it; though later, on the eve of the historic march to Dandi and during the course of that march, an ampler vision of the possibilities of the

movement was vouchsafed to him. Perhaps it was the Inner Voice—to which he refers in his answer to the Indian critics (Young India, January 23) which told him of the great promise and immense potency of the coming awakening. It was the seer's intuition of the unfathomed mystery of the Complete Truth of National Life and Destiny. We common people have no idea of what the tremendous import of Complete Truth is. Where Mahatmaji saw signs of the coming Dawn, others could see, therefore, only the gloom of uncertainty. Where he saw the straight path and the shortest route, and boldly ventured on it, others could, as yet, discover no track, but only an unmapped field of dangerous gradients to grope anxiously about in. But the nation had made up its mind to follow its Leader. And very soon it was found that the leader was, generally, right in his intuition and conviction as to what was coming, and others, followers or non-followers, were, generally, wrong in their uncertainty and misgivings as to what would be possible.

### VIII. WHAT IS WANTING IN THE MOVEMENT.

It is not claimed even by the supporters of the movement that, in purity or strength, it has been what it should be. India is forging ahead, and the chasm that separates her present vale of sorrows from the proud peak of her high destiny, is being spanned by deeds of sacrifice and suffering, but even to the most optimistic fighter the prospect of immediate victory and nearing the journey's end does not yet seem to be clearly bright and near. The magnitude of his effort has been beyond all calculations, but is not yet commensurate with the magnitude of the task before him. His enthusiasm still flinches, his energy still flags, and his step still falters and hesitates. He has not always closely followed the track of truth, charity and love sanctified by the footprints of his leader. He has sometimes been more anxious to wrest power from his opponent than to win his heart. And yet, *this* has been the soul of the whole gospel of Mahatmaji. His impatience, again, has not given non-violence a free and fair trial. From Mahatmaji's point of view, the situation has been complicated and not simplified by the collateral activity of the party believing in violence. It would have been well, from this point of view, if that party had stayed its hands. For, the object of Mahatmaji and his followers was not the attainment of independence by *any* means, but its attainment by non-violent means—to turn down and belie the lesson of history on the subject nation's fight for freedom, and substitute, now and for all time to come, another and nobler. It was intended to create an altogether different precedent in the history of the fight for freedom—which is the making of history. The eyes of the world were, and still are, on the experiment now being made in India. And India is eminently fitted for the making of it.

### IX. INDIA'S SPECIAL FITNESS FOR THE EXPERIMENT

And why? As long as we do not understand this, we do not understand the genesis or the significance of the Indian movement. We must go straight to what for lack of a more familiar name we call the Mass Subconsciousness or Superconsciousness of India. This Mass Subconsciousness has its own code of laws. It is a power greater than ourselves—greater than even our collective self. The nation can work only

by drawing upon its unexhausted stock of operative energy. But it has its own mood to render us help or to withhold aid. It appears to work in accordance with the law of rhythmic ebb and flow—a circumstance which explains why national movements should rise to a climax, and then subside, like waves. It explains the curvature of the nationalist movement in India during the present century, for example, with its three apexes—the Anti-Partition agitation, the Non-co-operation movement, and the present C. D. Movement. It stores and conserves the seeds of our past activities since nothing is really lost to it. Its providence makes it possible for us to rise to an altitude of effort higher than a preceding one, out of a condition of apparent national depression.

#### X. NATIONAL EFFORTS OF A CHARACTERISTIC KIND.

It not only enables us to make a great effort in the midst of apparent national lassitude, but it ensures that the effort shall largely be of a characteristic kind. It has thus been possible for India to launch upon the making of a new and momentous experiment in the history of the human struggle for freedom. The factors contributory to the making of recent Indian history that we met on the surface, are but superficial and exciting causes, without the background of this Indian mass subconsciousness or the Indian Genius. The outstanding events of those years, the vital actions and reactions of the people and the government, have partly provoked and partly given a vent to the working of this hidden Magazine of Power. Certain incidents, such as the passing of the Rowlatt Act, the Punjab repression culminating in the horrible climax of the Jallianwalla massacre, the Khilafat muddle, following close upon India's magnificent War effort and unstinted War sacrifice, provided of course the spark for the Indian magazine of Power to have its fuse ignited. It provided an occasion for a part of the stock of latent energy to be released and brought into play. But the Magazine itself was the most important and necessary precondition.

#### XI. THE INDIAN MAGAZINE OF POWER

The Magazine is not only such as one-fifth of the human race living in a vast continent—which Nature made an epitome of the world, and natural boundaries made a geographical unity par excellence—would possess. India's culture and civilisation, ancient and great and noble, equally great and noble in the deeper affairs of the Spirit and in the more immediate affairs of man's corporeal existence, have undoubtedly been the inner ring and core of her organism of power. This has been to the Indian power what the nucleus is to a cell of living matter. It is the centre at and through which the vital elan of the cell operates, in self-preservation as in growth. The cell is dead when the nucleus is dead. And so long as the nucleus lives, the cell not only functions, but functions in accordance with the law and pattern of its being. Now, it is an admitted fact that the Indian Genius had attained a high level of moral and spiritual merit, higher perhaps than any other. China had been in the same line, but that was probably because she had been very near, if not actually under, the sphere of Indian influence.

The civilisations of Egypt, Babylonia, and even that of Greece, had been beautiful and artistic and profound in certain respects, but competent judges will not hesitate to admit that these had not attained the moral and spiritual height, not only in their races' chosen few but also in their masses, which India had attained untold centuries ago, when the Upanishads were revealed to man's mystic vision, and Indian social and cultural institutions were laid upon a sound and enduring ethical and spiritual basis. Even the dominant European civilisation of to-day, despite the isolated peaks of spiritual clarity and moral grandeur it has presented and is still presenting, can hardly be characterised as mainly or largely an ethical and spiritual civilisation. Some western thinkers have called it a morally decadent phase of human civilisation.

## XII. WHAT THE PERSISTENCE OF INDIA'S CIVILISATION IMPLIES.

The civilisations of other ancient peoples are dead or materially transformed. That of India—older perhaps than any other, the cradle and nursery of perhaps the truest and best elements of all civilisations—is still alive, with its kernel, if not the shell also, living. The historian is called upon to write not the epitaph on the grave of a civilisation long dead, mummified and buried, but to cultivate an admiring acquaintance with a civilisation still young with the unspent vigour and fervour of youth. In the unsparing economy of Natural Selection, there is no assured place for the merely showy and seeming. That India has lived for at least five thousand years, is proof that at the centre of the Indian constitution, there is an uncommonly vast and vital fund of energy, which is able to react successfully not only against the ordinary disintegrating influences of time, but against the ceaseless aggressions and impacts of the Enveloping Order. The political dependence of India for many centuries is of course evidence that all has not been well with her; it undoubtedly means a sort, and by no means an unimportant sort, of failure in adjustment. But it does not and cannot mean that India has been a spent-up force. If it were so, India should not have lived, and so characteristically and still virilely lived, in her great civilisation and culture, in her religions and morals, in her literature and art, in her essentially beneficent and beautiful social institutions. And what is more important and pertinent to our present analysis of the Indian situation, the awakening and revival of India, on so unexpectedly vast and virile a scale, should not, in that case, have been possible. If China was the sleeping lion, India has been the sleeping archangel—a rare combination of sweetness and strength, of love and power. The touch of her gospel had made China shed her lioness's teeth and claws; and she has now fast grown them anew to meet and ward off the new and menacing White peril. Her magic had also made many leopards in the East change their spots. These too are getting the spots again under the new exigencies of international offence and defence. India herself, the recognised paragon of the races of the East, must to-day rise not simply as an archangel to bless, but also as one to strike down the insurgent powers of the world evil. A part of this evil is, no doubt the demon of imperialism, but it is nothing less than the evil Spirit of a godless, conscienceless and grace-

less civilisation—the pugnacious and pugilistic instincts, the grabbing and grasping tendencies, of man getting out of control and running riot.

### XIII. INDIA'S WIDER PROBLEM.

India has to face not only the isolated problem of her dependence and prostration, but a world problem of which her problem is a part, and the solution she is going to strive after, must be such as can be hailed as a solution of the world problem by the troubled soul and the yearning spirit of the puzzled races of men. Examples of awakened and liberated Russia, China and Turkey she will do well to emulate, but it is not in her line to imitate another in the blind and easy abandon of a slave mentality. It has been the lot of India to be the creator of the history of human civilisation, and it ill becomes her to be merely a follower of history. In our judgment, the Congress, which is the only organised body of public opinion and action in India, should never allow its eyes to wander from the compass needle pointing to the pole star of India's high destiny, and, while the wind may be howling and the sea raging about us, it should remain at its captain's post, as behoves an wise and ancient mariner; and, as behoves a stout-hearted toiler of the sea, it should never allow its grip to slacken on the rudder, while strong currents and powerful eddies tend to swerve its ship of Hope from the straight, pure and noble course. For the same reason, too, the party advocating violence should beware. The Indian historical background of the present movement undoubtedly includes a proud tradition of bravery and heroism in the battle field; and it is surely a true reading of Indian history to say that India's resistance to foreign aggression, both military and cultural, has proved to be the longest and toughest in history. Her power to recoup has also been the greatest. India lost her battles not because she could not fight well, but possibly because she fought too well—she was too clean and straightforward a fighter in an arena in which her opponent had learnt how to wed military stratagem and political diplomacy to the bravery of the soldier. India had her theory of military and political strategy of course, but she was never perhaps able wholeheartedly to carry it into practice. Her high ethical and religious equipment was perhaps her *faible*. Where our opponent does not mind if he has to stab us at the back, and below the belt, it becomes positive disadvantage if we have sworn not to touch him either at the back or below the belt. The modern advocate of violence would seek that we should be rid of this disadvantage. He would not only go in for the whole of western political and military strategy as being, in his judgment, indispensable to the maintenance of an independent national footing under modern condition, but also for western methods of terrorism as being, in his judgment, necessary for the disruption of a foreign or unpopular government by people not fitted to take up arms openly and not permitted to bear them legally. Mahatmaji himself discussed the cult of the bomb in *Young India*, dated January 2, 1930. We have little to add to his arguments. Terrorist activity is not congenial to the Indian Genius and traditions, is an exotic plant on our native soil, and though it has grown with wide ramifications under

exceptionally stressed circumstances, we believe that it will not strike its roots deeply, and with the return of India to more healthy conditions, will die the natural death of an unwelcome and unwholesome parasite. India can ill afford to use the very dagger with which she would cut the knots of her political slavery to commit spiritual suicide. Ropes falling from her body must not be used to hang her very soul with.

#### XIV. INDIA'S SUB-CONSCIOUS MIND.

And the Soul of India, her sub-conscious Mind, is an wonder of potential strength and a miracle of possible and powerful action. It may be blindness and folly to apply to the case of India's possibilities the foot-rule and measure of historical precedents drawn from other fields. India's case is *sui generis*, and an extraneous historical parallel and precedent is a misfit to India. The youth of India shows to-day an increasing linking for foreign commodities in ideas and inspirations, side by side with a dislike for foreign domination, and with its present mood to maintain an effective boycott against foreign goods. It has begun to think of India's political and social reconstruction in terms of the Second International or even perhaps the Third. It is standing with its face turned to the land where it is an alien, both by nature and by right, and its back turned to what is, after all, its own home, in life and in death. Before turning down India's past as of little consequence in relation to the solution of the modern problems, it should first satisfy itself that it is really barren and obsolete, that it is more likely to hamper evolution by its dead weight of mouldered, decayed and decaying institutions, than to help it by its tried, seasoned and tempered vitality.

#### XV. India's Kinetic Energy.

It must not be forgotten that inspite of the apparently low index of India's Kinetic Energy in the economic and political fields, her potential energy, and even her kinetic energy in other fields, is not really of a low order of magnitude. As we have said before, the very fact that India has lived for at least fifty centuries, and also the fact that, after many centuries of political dependence, she is still vital enough to will to be her own self again, is evidence that she possesses an amazingly vast fund of undepleted constitutional vigour and strength. Even she has not lacked kinetic power as one might suppose. It has existed, and existed in a large measure, but it has so long been directed to other ends and objects. We have got now to redirect it, and make it available for the purposes of our present political and economic effort. Forces of sufficient magnitude exist, and have always existed, and what is now required is to harness them to new services.

#### XVI. THE FUNDAMENTAL UNITY OF INDIA.

India is the watershed where many races and cultures have diverged and mixed their currents, and this diversity of peoples, religions and languages has often been used as a convenient peg, even by the Simon Seven, to hang all sorts of excuses and pretences for not granting or delaying what India thinks she is fit for, and claims as a matter of right. The fundamental unity of India has not been perceived and appreciated. The Hindus, Jains and the Buddhists, with their innumerable sub-sects,

form a compact cultural organism, their essential affinities not lost in a complex of structural and functional differences which are in-essential. Even races and religions of a Semitic extraction that have adopted India as their foster mother, and have been nursed by the milk of her breast, have not escaped being Indianised in form as well as in spirit. It is superficial or interested survey which does not see the essential unity in the Indian *ensemble* of races and religions. The western civilisation is a great pulveriser and provocator of the elements of collision and strife. Its insistence on the rights of man as distinguished from the duties, its recognition of the discrete sense-self as distinguished from the common and connecting medium of human spiritual self, has planted in its bosom seeds of dis-union and disruption, and its political organisations, its leagues and *ententes*, are only temporary and makeshift combinations of essentially irreconcilable interests, always easily liable to explosion, for purposes of offence and defence.

#### XVII. THE INDIAN MASSES.

Apart from this fundamental unity, the Indian masses, inspite of their illiteracy and abject poverty, are an wonderful people in other respects. They are not devoid of the best and sweetest elements of culture. It is this culture which gives them the strength of faith and the fortitude of endurance and the capacity for non-violent suffering, unparalleled in the whole world. It is this that has supplied the necessary background and material for Mahatmaji's momentous experiment of non-violent fighting for freedom. And he has found an unexhausted fund of national reserve power almost ready at hand, and waiting to be harnessed and directed. A nation that answers an unspoken and an unbroadcast summons to congregate, not in their thousands but in their millions, on the occasion of a Kumbha Mela, or a Gangasagar, facing the direst hardships and even courting death from accidents and epidemics, manfully and cheerfully ; a nation that sends its infirm and old in annual pilgrimage to difficult and almost inaccessible shrines, negotiating paths that will not appear easy and rosy even to the experience and skill and resources of the Everest Expeditions ; a nation that shews in the bearing of their hard lot of starvation and disease by the masses that they are rather ennobled than brutalised by their trials and tribulations ;—such a nation is not lifeless and worthless, because the sort of life and the sort of worth that the West now demands and requires have not been, seemingly, quite to the fore in India. It will not do to forget that the western valuation is tenable and passable only under the unnatural and unbalanced conditions producing and fostered by the western terms of human existence. When everybody is pointing his sixteen-incher to us, we cannot perhaps sit quiet in a trance of meditation. We must be up and doing ourselves. But it is surely not the best possible of all worlds in which one has perpetually to live in the trenches, armed to the teeth, bomb and pistol in hand. The world is bound to regain its lost sanity and balance, if it is not going to be positively handed over to the Devil. And it can regain it not by marring the true type of the Indian masses, of the character of the Indian genius, but by reclaiming and redeeming it. The present world forces must be allowed to create and maintain a stimulating and bracing atmosphere for the proper function-



ing of India in those lines in which she has not of late functioned to the requisite degree of efficiency. In her adoption of new organs and means of functioning, she must be careful that she does not take more than the irreducible minimum of the foreign virus. Like the god Nilakantha, she must now drink a little of the poison, but she must take care that she is able to hold it up at the throat. No political, economic or social programme is good for her, and incidentally, good for the world, which would make her drink the cup of poison to the dregs.

### XVIII. THE STRENGTH & POWER OF MAHATMAJI'S MOVEMENT.

Mahatmaj's movement has proved so powerful, and in the final issue, will prove so beneficent, provided it retains its true, pure character, because it has been, in some respects, a natural outflow from the Indian mine of strength, has been in accord with the working of her subconscious mind, and has consulted the oracle of her genius; because it has touched her at her truly vital spot; and on the whole, has been a vindication of her past and a guarantee of her own future, and that of human civilisation itself.

### XIX. THE NEED OF THE INTRODUCTION

This is rather a lengthy introduction to the story we are about to tell. But it is necessary for an appreciation of both the character and the curvature of the nationalist movement in India. It is, as we have seen, a movement of special and universal import, with Indian as well as all-human bearings; not only a movement directed to the breaking of India's own fetters, but to the removing of the shackles of the spirit of human civilisation itself. The last Great War found the allied Powers on the side of France lauding to the skies their own aims and objects, and consigning those of Germany and other opponents to bottomless perdition. It was to save civilisation itself that they were fighting the Huns. An unwary and uncritical consumer of such dressed and cooked stuff might suppose that a twentieth century Roman Eagle had spread its ample wings to guard civilisation from the inroads of modern vandals. But the aftermath of the War proved a disillusionment to some who had honestly hoped for this. To many of course it had been nothing better than affected virtue and hypocritical pretence. The world has not changed in spite of the Leagues and Pacts. The disarmament issue still has not made any headway, and the international relations and those between the classes and the masses, remain as tangled as before. War preparedness is still supposed to be the best insurance against war. And knots in the relations of men to one another must still be cut by the sword; they cannot as yet be untied by any peaceful methods. Ethics and religion must still be turned down in the dealings of human groups with one another. Mahatmaj's movement has been conceived to change all this. It has therefore been able to attract all eyes to it—particularly the eye of America. Interested propaganda to delude America or to lead American opinion even by men like Sir John Simon has largely failed. The Press there is, generally, watchful and appreciative. An American Senator bestirred himself constitutionally in the Indian cause. A number of American divines appealed

to the British Premier—an appeal for justice and fairplay of which no formal or material notice seems to have been taken. And these good people are interested not simply because it is the Indian War of Independence, but because it is a peaceful war, an assertion of the supremacy of soul force over every other kind of force. If this should succeed, the history of the human struggle for freedom in future should begin anew. Mahatmaji has, accordingly, stressed truth and non-violence as the mainspring of national action.

## XX. HISTORY OF THE MOVEMENT

A brief history of the movement has often been told, and it is easily told. For a succinct account, we may refer to two articles appearing in "The Hindu" (June 6 & 7, 1930), one by K Vyasa Rao, and the other by C. Vijayaraghavhari. Reference should also be made to Mr. Slocombe's despatch to *Daily Herald*. The former article shows how England is again following her traditional bent of muddling through; how she is pursuing a policy, if policy it can be called, of opportunities lost, of coming up always too late; and how her Indian record in these fateful years has been a record of might have beens. A Round Table Conference might have met the situation if it had been offered in the year 1924, or even in 1927. But the British Government thrust upon an indignant and resentful India an all-white Commission which not only hurt the feelings of the liberals and moderates, but actually ranged them on the side of a most determined opposition. It seemed as though the cleavage between the two schools of thought in India was going at last to be made up under a common sense of insult and injury. The Madras Congress had passed the Independence resolution, but independence had been set before us "as the goal." The liberals had not accepted this position. But after the colossal blunder of British statesmanship in appointing an all-white Commission, it seemed that even the liberals were disillusioned, and leaders of the two schools of thought, advanced and moderate, came to recognise that a common platform might now be erected, upon an agreement on the fundamental national demand, for both the schools to meet and present an united front. This idea matured in the All-Parties Conference. It produced the historical document known as the Nehru Report. It formulated the nation's minimum demand, as representing the greatest common measure of agreement amongst all the parties. It was an essentially reasonable proposal in spite of the fact that it was not wholly acceptable to the Mahomedans. Pundit Motilal moved in the last Calcutta session of the Congress the adoption of the Report, but it met with a powerful and determined opposition from the younger and more progressive section of Congressmen headed by Srinivas Iyenger, Jawaharlal Nehru and Subhas Bose. Mahatmaji moved in the impasse, what was called a compromise resolution—accepting Dominion Status on condition it was granted by the 31st. of December, 1929. A further concession had to be made to the impatience of youth and its uncompromising idealism—the hands of the advocates of independence were not to be tied in the matter of propaganda. Lord Irwin returned from home after consultation with the Labour Government in office, and also, presumably, with his own party the ear of which he is supposed to possess.

## XXI. LORD IRWIN'S DECLARATION

On the 31st. of October, 1929, Lord Irwin made a declaration about the goal of British administration in India, with the previous sanction of the British Government, making a reference to his own instrument of instructions and to the meaning implicit (later doubted or repudiated by some) in the Declaration of 1917. The substance of the Viceroy's October declaration was this: the natural issue of India's constitutional progress is the attainment of Dominion Status (in the fullness of time). This declaration seemed to many as an olive branch, but to others it seemed a ruse. Anyway, it did not clear the Indian situation in so far as the immediate future was concerned. It did indeed define the goal, but it did not commit British statesmanship either to the time or to the speed of the attainment. India realizing Responsible Government in accordance with geological scale of time had long ceased to be an India which an Indian could love or even endure. Soon after this declaration, a Conference of the leaders of all parties met at Delhi to consider the declaration. A resolution on the same, as drafted by Gandhiji himself and as amended by Sir Tej Bahadur Sapru was the result of the deliberations. It was a resolution conceived in a friendly and not obstructive spirit, and suggested some modifications in the spirit as well as in the working of the policy of the Government, calculated to produce an atmosphere favourable to the labours of constructive statesmanship in the proposed Round Table Conference. The public should be made to feel that "a new era commenced from to-day." The crux of the problem was, however, stated to be this: "We understand however that the conference is to meet not to discuss whether Dominion Status is to be established but to frame Dominion constitution for India. We hope we are not mistaken in thus interpreting the import and implications of the weighty pronouncement of H. E. the Viceroy."

## XXII. THE CONGRESS POSITION AND THE GOVERNMENT POSITION.

It was felt on all sides that a round table talk with the Viceroy himself, in which both the parties might place all their cards on the table, would be a necessary prelude to the historic drama to be staged later in London. Accordingly, a meeting between the Viceroy and some of the leaders (Gandhiji, Motilal, Patel, Sapru and Jinnah) was arranged at the viceregal lodge, New Delhi, on the 23rd. of December 1929. It was a fateful meeting at a time when India was, in grim earnestness, at the parting of ways, but it ended in failure after a full three hours' anxious attempt to reach a settlement. The Government issued a statement on the abortive talks with the Viceroy. It stated that the position of the Congress party was that there would be grave difficulty about Congress participation in the Round Table Conference unless an assurance was forthcoming from the British Government that it would meet directly to draw up a scheme for a Dominion constitution for India which the British Government would undertake to present to and support in the Parliament. Whereas the position of the Government was that the London Conference "was designed to elicit the greatest possible measure of agreement for the final proposals which it would be the duty of His Majesty's Government to submit to parliament and that it was impossible for the Viceroy or His Majesty's Government in any way to prejudice the

action of the Conference or to restrict the liberty of Parliament." That this position of the Government represented a workable basis for the Conference to stand upon was believed by many who accepted that position at its face value, in forgetfulness of the Irish precedent, of the frailty of past pledges and assurances in relation to India, and the possible prejudicial action of factors not specifically stated in the terms of India's participation in the Conference. It was said that the Conference was designed to elicit the greatest possible measure of agreement for the final proposals. But who were going to be the parties to such agreement? The Congress as the preponderant party on this side, and Labour Government as the other party on the other side? If so, would it be worth while for the former to cross the seven seas and the thirteen rivers as we say, and come to London merely to try its luck with people who only said that Dominion Status for India was but a goal, but had given no hint of an assurance that they were prepared to treat it as coming within the range of immediate practical politics? If the Labour Government was sincere in its solicitude for the political emancipation of India—a consummation which Labour as a party had previously not merely devoutly wished for, but had repeatedly pledged itself to—then, here was the opportunity for it to take the Indian issue up in right earnest, and stake, if matters went so far as that, its life on the issue of Indian Swaraj. And was it not apparent even to the dullest observer that the Indian issue was no longer the granting of a further instalment of reform, a further leading to quarter-way or half-way houses in India's uphill march to the peak of her high Destiny? It is merely euphemism to say that pledges are kept, provided one has been keeping them. It is a long way from "has been keeping" to keeping now and for good.

### XXIII. THE CONGRESS REASONS

The Congress spokesman made it abundantly clear that what they wanted was an undertaking from the Labour Government that it would support Indian Dominion Status in Parliament—an undertaking which in no way could be construed as an undertaking from Parliament itself. It was recognised that the Labour was in office, but not in power, because the Conservatives and the Liberals could turn it out at any moment by joining issue with it. It was ordinary prudence on the part of the Congress representatives to insist on an undertaking forthcoming from the Labour Government itself: it was a proposed contract inspired perhaps by more trust and good-will on the part of the Indian leaders than was justified by the records of the Labour party's previous tenure of office. The professions of Labour out of office had certainly not been borne out by the performances of Labour in office. It had proved that once in office it could as smoothly fit itself into the steel frame, even perhaps compromising their socialistic principles and party pledges and everything except their chances of holding office, as any other party of British politics. The Ramsay Macdonald of "The Awakening of India" or even as leader of Labour minority might not be the Ramsay Macdonald of 10 Downing Street. Moreover, the Indian Bureaucracy might prove stronger than the christian conscience of Lord Irwin, and the die-hard forces and vested interests in England might prove stronger than the most angelic intentions of the Labour Government.

## XXIV. MAHATMA AND THE CONGRESS.

Mahatma Gandhi is the Congress and the Congress is Mahatma Gandhi—so said V. J. Patel on a later occasion. But this is true in the sense that the best sentiments of the Congress are focussed and its purest efforts concentrated in the personality and leadership of Mahatmajī. The article of Vijayaraghavachariar to which we referred stressed two points : the unique God-given opportunity which India now has in possessing the greatest living man as her leader—an opportunity rarely given to any great subject people in its struggle for subjective as well as objective freedom ; and the tremendous potentialities of Indian mass response—the mass mind which, inspite of the appearance of its ignorant submission to fatality, is possessed of the elements of a fine though illiterate culture and of a mine of profound though mainly subjectively directed strength—under a spiritual leadership and guidance. But even Gandhiji would cease to be the Congress, and become again the extinct volcano that he was supposed to have been during the palmy days of the Swarajist “non-cooperation from within the Councils,” if he should give either a wrong or a hesitant lead to the rising flood of India’s desire for freedom. God has given him the divine warrant to harness the newly awakened forces and lead them, but like the Anglo-Saxon king, he cannot bid the surging tide retreat on the shore. If he should essay to do what it is impossible even for him to do, he would himself be left stranded in dry and cold isolation as the mighty flood rushes on to its destination. Sir Surendranath and many others had so been left stranded. It was difficult enough even for Mahatmajī to bring the Calcutta Congress to accept the compromise resolution which appeared to many as going back on the resolution of the Madras Congress. And it was difficult enough for the Mahatma to have his resolution of thanksgiving to the Viceroy and of condemnation of the attempted viceregal train-wrecking passed by the Lahore Congress. The temper of the younger generation of Congressmen had risen, and it refused to be pliant and docile even before the magic wand of the Wizard of Sabarmati. Mahatmajī holds the torch to ignite the fuse of Indian mass dynamism, but even he does not hold the extinguisher. The Bardoli Decision after the Chauri Chaura incident had not extinguished the Non-co-operation conflagration : it had merely driven it into new routes ; and it burned wherever it went. Congress leaders, therefore, simply and plainly stated their case when they said to the Viceroy that there would be grave difficulty about Congress participation in the Round Table Conference unless Dominion Status could be definitely prospected before the eyes of the impending session of the Congress. A mere dangling of a shadowy ideal and the mere prospect of a problematical agreement being reached in a promiscuous conference, was not the sort of thing that could charm India into a lull of patience.

## XXV. COGENCY OF THE REASONS

It is important to consider all this, because not only the Liberal representatives in the infructuous talks with the Viceroy, but even the then President of the Legislative Assembly, V. J. Patel, were dissatisfied with the unbending attitude taken by the Congress leaders. Patel

of course took not much time to revise his first judgment, as we saw after the correspondence that passed between him and the Viceroy on his resignation had been published. But the Liberals continued to think that there was much in the October Declaration and in the December conversations with the Viceroy which justified the hope that the Government meant to confer on India a substantial boon. Mahatmaji himself made the issue perfectly clear in an article in *Young India* (February 6) in which he removes some misconceptions in the minds of some Pro-Indian Britishers of which Mr. Alexander might be taken as the type. We could do no better than quote Mahatmaji: "In the language of the man of the street, unless the reformer knows that he has in the Cabinet and the Viceroy his staunch supporters, he may not attend the Conference except to court disaster." After alluding to the probability of the different invited parties not coming to an agreement, but rather having their differences accentuated in London, Gandhiji says:—"The fact is that there is really only one party in the country that has weight with the masses. It is the Congress. There is perfect agreement among Congressmen as to the demand. But I am free to confess that the Congress does not yet command such recognition from the Government. It has not yet the sanction behind it for enforcing its will. If therefore the Congress sends representatives to a heterogeneous Conference, it must know definitely what the British Government intend doing. It must not have an open mind as to what India should have. The Conference, therefore, to serve any useful purpose, must necessarily have only one thing in view i.e., to frame or recommend a scheme of Dominion Status (now Independence) to suit India's needs. This Lord Irwin could not do; hence the break." The words he used in his submission to the Indian critics on January 23, have since then been often quoted. They are about the "substance of freedom." "Surely nothing will be lost by the Congress abstaining from participation in the Conference if the British cabinet mean well. Let those that have faith attend, and if they bring something worth looking at from the Independence standpoint, the Congress will capitulate. The days of being satisfied with costly toys are over. It is the substance that India wants" And the substance he defines in three clear and categorical propositions: (1) British domination must cease. (2) British exploitation must cease. And (3) British administration, that is costing the country far beyond its means, must end now, and not in the remote future. He then proceeds to add that what is really vital for the securing of this substance of freedom is to create a proper atmosphere for it, that is to say, India must generate power within to enforce her will. Incidentally, he points out to the party of violence that this power shall not only not come from acts of violence, but that it will be distracted and dissipated by it. In the same issue of *Young India* Gandhiji, addressing the English friends, explains that the failure of the parley with Viceroy left no other logical and honourable course to the Congress than to keep its engagement already fixed in its Calcutta session. "Organisations, like men, if they are to command respect and grow, must have a sense of honour and must fulfil their promises. Well, the Congress promised at Calcutta to change its creed to Independence if .....It (Dominion Status) did not come nor was there any prospect of

its coming for certain in the immediate future. The Congress therefore had no other course left open, if it was not to commit suicide, but to declare its immediate objective to be Complete Independence." This is what he wrote. The concluding words of that article are also important : "But whatever I do and whatever happens, my English friends will accept my word that whilst I am impatient to break the British bondage, I am no enemy of Britain."

#### XXVI. THE LAHORE CONGRESS : A FOREGONE CONCLUSION

The issue of the Lahore Congress was therefore a foregone conclusion. President Jawaharlal's Address was as full of fire as of light. It combined the impatient fervour of the youth of India with the mystic yet clear vision of the prophet and the seer. Mahatmaji is himself the best story-teller and also the best interpreter of the Congress. In *Young India* (January 9) he writes on the Congress. He divides it under several headings : President, Independence, Boycott of Legislatures, Civil Disobedience, "In the Existing Circumstances," Our Financial Obligations, and Communal Question. It is a rock-bottom analysis of the new situation created by the declaration of the Independence creed. And the rock into which the Congress was to plunge its piers, the pivot on which the whole Congress machinery was to turn, was Civil Disobedience. As we pointed out, Mahatmaji brought up the idea of offering mass civil disobedience under his own command, with an anxious and even hesitating mind. The atmosphere for it did not yet exist. And violence was too plainly in the air to justify a hope that it would allow non-violent resistance on a mass scale a field of free operation. A select area, a select company of disciplined non-violent fighters and a select command, presumably his own,—a programme like this was thought practicable or reasonable. A long, long day of strenuous spade-work was believed to be necessary. After the lull of the N. C. O. Movement, a new tide, more powerful than the last, might have been expected, but although there was a marked rise in the level of feeling in political India, there was, as yet, no sure indication that the bosom of Indian Mass Sub-consciousness was already swelling in a mighty up-heaval. No one as yet knew what the character or the magnitude of the mass response would be. Gandhiji's hold on the Congress was of course decided, but it was not absolute. A very considerable section of the younger people had little faith in his programme of non-violent resistance, and took less care to conceal its want of confidence during the Lahore Congress or soon after. Many young men were too full of the fiery traditions of a newly liberated Russia or Turkey or China, to go in whole-heartedly for a programme of merely courting imprisonment, lathi blows or gunshot wounds. And in an issue of *Young India*, Mahadev Desai narrates a comic incident, with an underlying vein of deep pathos, how Gandhiji and himself were treated to an edifying demonstration of this mentality by a number of youthful firebrands who happened to be their fellow passengers during the return trip from Lahore.

#### XXVII. THE COMPLICATED SITUATION. THE CROSS CHALLENGES

In such a complicated situation, in which the spirit of violence was apparently up and that of non-violence apparently down, a feeler, a

gauge of the measure of national feeling, a fairly correct barometer reading of the intensity of the impending storm, was required. Accordingly, it was decided to celebrate an All-India Independence Day. It was celebrated on the 26th of January, and its success not only justified but exceeded the most optimistic expectations of Congressmen. There was the readiness to respond, which, with sufficient stimulus being supplied from within and from without, might develop, so it was now believed, into a power sufficient for offering effective mass resistance. The Government, meanwhile, were not sleeping over their guns, and neglecting to keep their powder dry. The statement of the Viceroy made in the Legislative Assembly at that time was an explanation and a threat. The explanation worsened the situation by differentiating the goal from its attainment, the journey from the journey's end and the threat stiffened the back of the civil disobedience attitude by throwing a challenge to it. All national and deep-acting movements derive from such challenge an accession of incentive and strength to them. If the Government regarded the Congress programme as a challenge to itself, the Congress also regarded the Government's refusal to consider the national demands as coming within the range of immediate practical politics, no less a challenge to itself. The Viceroy complained of the Congress not grasping the hand of friendship and co-operation extended to it. But the fact is that both had extended their hands, but since the hands could not clasp each other in friendship, they gripped each other in a life and death wrestle. Whilst the Government thinks that an way out of the present impasse lies in the Congress descending from the clouds to commonsense and an appreciation of the actualities of the situation, the Congress thinks that it lies in the Government undergoing a change of heart and ascending to an height of imagination and courage of justice.

#### XXVIII. GANDHIJI'S READINESS TO MEET HALF-WAY

Gandhiji was prepared to meet the Government even half-way after the celebration of the Independence Day. In the issue of *Young India* Jan. 30, he, after discussing the Viceregal statement in the Assembly, made the same "childish" offer of his famous eleven points to Lord Irwin which he had made to Lord Reading. The points refer to the more urgent of India's pressing needs, but even Gandhiji's most trusted followers had not felt very enthusiastic over them at a time the problem of the right of India to manage her own affairs apart from all outside control or intervention had itself to be tackled. But Gandhiji was so awfully conscious of the possible risks and perils of the civil disobedience movement, that he wanted to give the Government a further chance before launching upon it. He was anxious to explore and exhaust all possible and honourable avenues of settlement before taking the final and irrevocable step. He writes: "Let the Viceroy satisfy those very simple but vital needs of India. He will then hear no talk of civil disobedience, and the Congress will heartily participate in any conference where there is perfect freedom of expression and demand." With the same Eleven Points in his pocket, Mr. S. R. Bomanji went to Downing Street to negotiate with the British Premier. But in vain. In *Young India* (February, 20) Gandhiji, writing on the decision of the Working



Committee authorising him and those working with him who believe in "non-violence as an article of faith to start civil disobedience as and when they desire and in the manner and to the extent they decide", observed: "It (the Working Committee resolution) is the formula of which I have been in search these long and weary months. For me the resolution is not so much a political as a religious effort. I saw that I could not work out *Ahimsa* through an organisation holding a variety of mentalities. Hence the necessity for freedom from Congress control. And I am thankful that the members of the Working Committee saw the utter correctness of my position." The concluding lines of the same Article shewed that whilst Gandhiji was fully conscious of the danger of violence breaking out side by side with civil disobedience, he was now also sure that he knew the way. There could now be no retracing as at the time of Bardoli. The struggle for freedom must be carried on, he said, "till one of the representatives (of non-violence or violence) was left alive."

### XXIX. HIS YET ANOTHER ATTEMPT

But before actually embarking on a campaign of civil disobedience, Gandhiji made yet another attempt to see if a genial and kindly response to the Indian yearning for freedom would come from the Viceroy. He wrote his famous letter (often called an ultimatum) to the Viceroy, which was personally delivered to the Private Secretary by an English youth, Reginald Reynolds. In this letter—which, like all that Gandhiji has written, should be solemnly read—he puts the whole case for India in a nutshell, and clinches the whole argument for mass action in the event of the Simla snows not thawing by the eleventh of March. The pivotal point in his letter is the paragraph in which he states his conviction that the time has now arrived for employing the force of non-violence—an intensely active force—both against the organised violence of the Government and "the unorganised violent force of the growing party of violence." He says: "To sit still would be to give rein to both the forces above mentioned. Having.....faith in the efficacy of non-violence.....it would be sinful on my part to wait any longer. This non-violence will be expressed through civil disobedience for the moment confined to the inmates of the Satyagraha Ashram, but ultimately designed to cover all those who choose to join the movement with the above limitations." In that letter he also made it plain that in the event of the appeal to the Viceroy's heart failing to go home by the 11th of March, he would be on his march on the 12th to offer civil disobedience by breaking the Salt Laws—the most iniquitous of all laws, from the poor man's point of view—with his co-workers from the *Ashram*. The Viceroy's reply to the above historic appeal was curt and formal. He regretted that Mr. Gandhi had decided upon a course of action that would lead to the violation of the law and involve danger to the public peace.

### XXX. CIVIL DISOBEDIENCE STARTED: THE FORCES BEHIND.

After this nothing was left but to make active preparations for the historic march to Dandi. A Power mightier than either the Viceroy or Gandhiji had assumed the supreme command of affairs, and was shaping the course of events. Gandhiji went upon his knees before the Viceroy

for a gesture that the latter was unable to make. "On bended knee I asked for bread and I received stone instead." But the bread he asked for was not in the gift of the Viceroy. Gandhiji was not the master of the forces creating and pushing the Indian situation, nor was the Viceroy the master of the forces shaping and guiding the British policy in India. Gandhiji was commissioned to start the very thing that he most wanted to prevent, and the Viceroy to start a policy of repression and governance by Ordinances which he would rather not wish to go down in history as associated with his viceroyalty. The Indian Vital Impetus was greater than the Mahatma, and the combination of interests, methods and traditions which the machinery of Indian administration in the Whitehall or at Simla represents was stronger than any Viceroy. The innate moderation and sweet reasonableness of the one was of no greater avail than the christian conscience of the other.

### XXXI. THE INFLUENCE OF THE MOVEMENT.

Having proceeded so far, we feel that our narrative as a detailed, connected story must end where the actual operations begin. The messages which Gandhiji gave inside and outside his Ashram during the preparatory stage of the campaign, and also during the various stages of the glorious march itself—his "last message and testament" written, signed and delivered on the bank of the Sabarmati on the day previous to the day of his march; his many speeches and exhortations to the hundreds of thousands who flocked to the Shepherd and Apostle, carrying in his frail body the suffering of centuries, the wisdom of ages and the love of eternity; his last prayer in the morning of the fateful day—6th of April—on which Indian History was reborn;—all these were immortal Promethean Sparks to make even dead bones instinct with life, to rouse mass sub-consciousness for the sublimity and grandeur of its response, and, having made history, these shall live in history. There was a cleansing of the soul wherever the halo of that great event spread and the thrill of the Mantra of Satyagraha reached. The Independence Day had given the fighters the first glimmerings of the Dawn of Hope. The March opened up the future before Mahatma Gandhi in the clearness of the settled Dawn. There no longer was any doubt or hesitation in his mind that mass response to the call of the Congress would only very restrictedly be possible. The scales had now fallen from his eyes, and the Seer of Sabarmati was now the Prophet of a New Dispensation. The A. I. C. C. meeting at Allahabad (21st March) decided to start civil disobedience upon the arrest of Mahatmaji or even before his arrest by the 6th of April, if he should approve of it.

### XXXII. THE MARCH.

We shall not attempt a description of the March which Sir P. C. Roy likened to the exodus of the Israelites under Moses, and Motilalji to the historic march of Ramchandra to Lanka, predicting that the places he would pass through would be sacred. The "Bombay Chronicle" said that the scenes in connection with the great march beggared all description. After Mahatmaji had broken the Salt Laws, the power magazines in provinces other than Gujrat also caught the spark, and there was a general conflagration over India. Provinces having a sea-board

had special facilities for offering this particular form of disobedience and the Civil Disobedience Committees or War Councils in such provinces were not slow to fall in with their battalions of civil resisters. Bengal's war front was represented at the points Contai, Neela, Satkhira and elsewhere. We especially mention Bengal, because, the more organised and virulent outbreak of violence in Bengal (and also to some extent in the Punjab) has sometimes been allowed to overshadow her magnificent effort and achievement, from the Congress point of view, in non-violent mass action, and perhaps to distract our attention from them. It has been hastily supposed that it better suits Bengal to strike than to suffer, that it is more in her line to avenge her wrongs by paying back violence in kind than by seeking to disarm it and convert it by non-violence. From the Congress point of view, therefore, Bengal has had no reason to be ashamed of her record. The predominantly Shakta tradition of her Hindu classes and the predominantly Vaishnava tradition of her Hindu masses have combined to produce in her a mentality as remarkable for the heroism of the intrepid soldier as for the heroism of the loving apostle.

### XXXIII. NON-VIOLENCE AND VIOLENCE.

Even before Gandhiji was arrested at midnight on the 4th of May in his camp at Karadi, both non-violence and violence had given him a glimpse and an earnest of their possibilities of a kind sufficient to justify the hopes as well as the fears of the General in command. Mammoth meetings and processions, in many cases in defiance of prohibitions, the fortitude of the armies of Civil Disobedience under circumstances of great provocation and danger, the extension of the scope as well as of the area of civil law-breaking, the demonstrations and accelerations following upon the incarceration of the front-rank captains, including the Congress President himself, the phenomenal mass awakening, the growing convergence of world interest, and particularly American interest, on the facts and implications of the Indian situation,—all these the General, now going to be clapped into the Yervada Jail, had the satisfaction of witnessing. If these had been all, and if the ominous cloud, at first no bigger than the palm of one's hand, had not spread and overcast the south east corner of the Indian horizon, he might have retired into the sanctuary of the jail with a crown, though thorny crown, of Hope and Glory resting serenely on his forehead, but as the Fates decreed it, he had to retire also with a load of anxiety hanging from his neck and weighing on his heart. It is true that the armed insurrection at Chittagong was an isolated specimen of its kind, and Mahatmaji, though recognising that henceforth non-violence was to fight an unequal battle against combined official and non-official violence, saw no reason why he should retrace his steps as he had done after Chauri Chaura.

### XXXIV. EXISTING CAUSES OF VIOLENCE.

Subsequently there were outbreaks of violence in many places, the one at Sholapur being of so serious a nature that the Government thought it necessary to meet the situation by the promulgation of a Martial Law Ordinance. Sometimes military aid had to be called in and firing had to be resorted to. But for the most part, so it has been

thought, the outbreaks of popular violence were in the nature of repercussions on the excesses sometimes committed by the guardians of law and order. Under admittedly difficult circumstances, the police and military acted, according to official estimation, with admirable restraint. They might have done so from the official point of view, and though even liberal supporters of the Government policy, some of them afterwards attending the Round Table Conference, have recorded their personal testimony rudely reversing the official verdict of unstinted eulogium, we may, for the sake of argument, leave it unchallenged. It is imagination and tact which ought to be the A. B. C. of a truly successful and beneficial Indian policy. Those entrusted with the working of the machinery of the Indian Government have certainly not suffered from a plethora of these virtues. They have shown the mailed fist of firmness, but not the stamina of imagination and courage. Where the desire for freedom and equality of status is general and genuine, and the feelings of a large and dynamic section of the people are worked up to a pitch of fervour, the guardians of law and order should have imagination enough to visualise what the repercussion would in all probability be on the mind of a sympathetic and watching public of a lathi charge (involving sometimes as many as 60 p. c. blows dealt on the head) on a batch of peaceful Satyagrahis (often consisting of boys and girls of tender age). The Satyagrahis are law-breakers, and must, of course, be dealt with as such. But should not Government put themselves in the position of the people and try to see and feel from their point of view also? What is the Satyagrahi even to a "law-abiding" Indian spectator? Is he not the bone of his bone and flesh of his flesh? Has he not rushed to the breach created by his own unexpiated sins of centuries, and is he not out to bridge the chasm between India's past and future with his fallen and crouching body? And should not the guardians of Law and Order be able to imagine in advance what the effect of a brutal lathi charge or armoured car charge or of rounds of shots would most probably be, if the public see that all that comes from little or sometimes no provocation? And even allowing for a possibility of rowdiness or a tendency to rowdiness manifesting itself from the unruly elements of the public, has not the severity of the remedies applied in many cases been far out of proportion to the gravity of the distemper? A boy picketer of 14 or 15 lying before a cart-load of liquors, and refusing to move, may be dealt with according to law, and the law may allow a reasonable amount of force being applied. It is but playing the game fairly and squarely to arrest the boy, and also to apply such force, as law and prudence allow and demand. The public perhaps will not mind it if he is so dealt with. But suppose the police take it into their heads to teach a lesson, and deal blows that will not only tell but will for ever be remembered. If they do so, they do not play the game, and the result often is that by the extra severity of their blows they not only lash up the indignation of an watching public into fury, but as Babu Rajendra Prasad once said, they convert the curiosity or mere passive sympathy of the public into actual sympathy, support and participation (sometimes without the halter of the satyagrahi). Such acts thus serve the ends of the Congress agitator in the most effective way. It is perhaps more in this way than in any other that the germs of mass violence are sent broadcast, the hands of the

organised violence are strengthened and opportunities and temptations for active operation are placed before them. This is a possibility of which Law and Order should take particular note. The temptation is great on the part of a powerful government to err on the side of severity in dealing with popular upheavals, where the people is disarmed and weak, while it is strong and irresponsible. But as early as 1908 Lord Morley said with reference to official harshness, after the first bomb had exploded in India—"It is the path to the bomb." When will the shades of General Dyer who wanted to produce "a moral effect" at Jallianwallabag cease to hang about, if they do not still haunt, the clubs, if not the councils, of Executive Government? When will the British people cease to be a believer in the policy of hard blows? Apart from the occasional outbreaks of mob violence, there have been activities of the party of violence also. We presume, this party, though not believing in non-violence as a possible method of India's emancipation, had, at first, decided to stay its hands, and also to some extent to work and push the Gandhi programme, and to wait for developments. It is just possible that it has been, under the stress of an exceptionally tense and acute national situation, which may have acted as a goad and as a temptation in relation to it, driven to take the field. So long as grievances exist, and so long as the hunger for freedom remains unsatisfied, it is perhaps idle to hope that all the ardent spirits of the nation without any exception will move in the Gandhi line or orbit and in no other. But the fact remains that the theory and practice of Gandhism in India to-day have more effectively stood as a rampart between the forces of the Government and the incipient violence of the people than all the machine guns and armoured cars, the Ordinances and Amended Criminal Laws of the former.

### XXXV. THE VICIOUS CIRCLE.

The whole thing is moving in a vicious circle. Law-breaking is met with repression perhaps a little too severe than would be justified from a strictly law and order point of view; this leads to resentment and more law-breaking followed by a double dose of repression; this raises the temper of the people a few more degrees up which expresses itself in more intensive popular action calling for still more repression. So on and so forth. It is of course conceded by all sensible people that all governments must react in certain ways in the case of an uprising against them, if they are to live and function as such, and that it is suicidal for them to sit idle when there is open defiance of their authority or breaking of the law. But there is a kind of law-breaking and there are circumstances of law-breaking which do not justify their penal reaction beyond the bounds set by imagination, sympathy, moderation and tact which go to make wise and constructive statesmanship. Penal action, and even penal action of an extraordinary kind, may be necessary, but these must not be such as to render conciliation or the task of wise and constructive statesmanship difficult or impossible. Repression is only a means to an end which is the insurance of true peace and progress, and care should be taken so that the end is really served by the means employed and not defeated by it. Too much of law and too little of order, and also too much of

order and too little of law, are both dangerous morasses and quicksands to which a government following not a very well conceived policy and not looking far ahead of the tip of its nose may be led.

### XXXVI. THE R. T. C. GESTURE CONTINUES.

It is true that the Government, backed and braced up by the Liberals, were determined to persevere in their effort to solve the Indian problem by holding a Round Table Conference in London even if the Congress party did not participate in it. The Viceroy made another announcement which praised and blessed the R. T. C. prospects, and buried and damned the Congress activities. In that speech there was no overflow of the milk of human sympathy and christian charity that would sweeten the already embittered relations of the Government and the Congress. There was no indication of change of heart on the Olympian heights of Simla, while there was hurled on the devoted heads of a powerful section of the people, fighting for the very breath of its nostrils a non-violent battle, perhaps a little too much of the thunder of harsh language. The Government should never have allowed itself to forget that Congress is represented not merely by the length and depth of its fighting line, but by countless reserves of potential fighters and followers encamped behind the fighting line. Since the Government must have to come to terms, sooner or later, and rather sooner than later, with the Congress, it should not have regarded the Congress in the light of an habitual or ordinary law-breaker. It should not have forgotten that the movement has been spreading not by the driving power of lawlessness, but by the vital impetus of a Law to which all laws are believed by many to be subordinate. The adversary should have been met in a sportsman-like way: "We have not liked each other's methods. Let us agree to differ on that. But since we have got to pull on together, let us see if we can find a common board to sit upon, and a common pull to exert together, without abusing each other's ways." That would have been a fair and practical bargain. If consistency is the hobgoblin of little minds, prestige is the fetish of pettifogging politicians. The Government has to strike, and nobody expects it to curse the very hand it strikes with. But there are matters on which it should not only be considerate, but even generous. The Gandhi cap, for instance, may have been a red rag to only local bulls, but the National Flag—a symbol of national honour, and adopted as such not only by the so-called Left Wing voting for complete Independence, and the Centre voting for Dominion Status with the right to secede, but also by the so-called Right Wing voting for Dominion Status with hedges and safeguards—should not have disturbed the equanimity of the British lion. It is not the flag of the enemy. To take it so, is to make enemies of those who would be friends. Only by respecting the Flag of India, you can make India respect the Union Jack. As an original member of the League of Nations already, is not India entitled to have a flag of her own? Something seems to be still fundamentally rotten in this our House of Denmark, in the relationship of the people's temper and outlook to those of the Government. No conferences and no measures are worth while which do not or cannot make these tally with one another.

## XXXVII. THE EFFECT OF THE ARREST

Of the events after the arrest of Mahatma Gandhi we can here note only the bold outlines. The picture of course is drawn not only in bold and striking outlines, but in blazing and superb strokes. The clapping of Gandhiji into the Yerwada Jail under the Bombay Regulations did not produce the effect desired or expected by the authorities. The Prophet of Sabarmati proved more powerful in the solitude of the Jail than in the bustle of his Ashrama. So long as the General himself had been in the field, the authorities had acted rather mildly in his presence, where lights from all quarters of the civilised world had been turned upon and focussed; but their action had certainly not even then erred on the side of mildness in many of the other fields of operation. The first impulse probably had been to kill the movement by pretending to ignore the challenge carried by it. But soon the bureaucratic back stiffened. If the first mood had been to take too little notice, it soon was followed by a mood to take too much notice of the movement. Perhaps by following a middle course, the Government might have avoided the extra deal of trouble they have brought upon themselves. But as it turned out, as the Government action proceeded by arithmetical progression, the Congress reaction proceeded by geometrical progression. And the proportion has maintained itself since. The Round Table gesture has not found, and has not created, the atmosphere for it.

## XXXVIII. THE AFTERMATH OF THE ARREST

The breaking of the Salt Law proceeded on a mass scale at Wadala, Dharsana and elsewhere. Sedition Law and Prohibitory Orders of various kinds were also broken. The jails began to overflow and new jails had to be improvised. Workers in every province, the rank and file as well the officers, courted imprisonment, braved lathi charges, and faced gunshots. Almost all the prominent leaders were in jail. The womanhood of India made a surprisingly great and noble contribution, in following as well in leadership, to the dignity and success of the movement. Dark deeds are believed to have been done at Peshawar and in parts of Midnapur. But non-official reports on those incidents are still under a ban. Afridi hostilities, supposed to be inspired by and in sympathy with the nationalist movement, have been an war-like episode which has not yet neared its conclusion. An effective blockade of British goods has been maintained, and this, while involving great loss and sacrifice on the part of the dealers in British goods, has accentuated the business slump due to world depression. But the people, generally, are not depressed. Many Congress party legislators resigned in loyalty to the Lahore Resolution; some Liberal leaders too resigned in protest against the Government policy which by this time had been supported by the promulgation of as many as six Ordinances. The mass awakening has been so phenomenal that Pundit Madan Mohan Malaviya had to say that he had not seen the like of this. The tide had come in the affairs of this country after an ebbing flow for centuries. And it was felt by many that it would be sin and folly for the nation not to take it at the flood.

It is well for all parties to remember not only the strength of the tide but the nature of the urge behind it. If they do so, the Government will not make the unwise attempt to withstand it by erecting sandridges of hasty executive measures such as the viceregal Ordinances, nor will the people seek to deflect it from the broad, straight course of Indian destiny promising lasting human peace and beneficence, into boisterous and perilous bays of violence which offer no haven of safe and peaceful anchorage, or into mere shoals of shallow reforms which soon leave us stranded dry, or else into narrow and dangerous creeks of interminable internecine feuds and suicidal communal quarrels. The urge is the will of India to be herself again. It is striving for equality of status with other free nations of the world. This is felt to be possible only if the fundamental rights of the free citizen—the freedom of the Press, of speech, association, self-defence and self-determination—are assured. A new order producing an atmosphere in which the Indian shall feel that he can grow to the fulness of his stature in body and soul must dawn, and the night of his life's stagnation must definitely come to an end. He shall feel that the law of the land must express the collective will of the nation and not that of a foreign nation, however civilized, expressed through its Parliament, however well-intentioned. He shall feel that if under exceptional circumstances he should require a dictator to implement his decisions to meet emergencies, his authority, like that of the Roman dictator, should be delegated to him by the people itself. In the matter of taxation again, the good old democratic principle—no representation no taxation—which England, America and other countries have consolidated into their constitutional theory and practice, should be good for him also. Did not England herself win this very breath of her nostrils—her Magna Charta, her Bill of Rights, and so forth, by intensive national action, and has her history repented of what she did? And yet her method was not mainly peaceful. She should have to-day both imagination and sympathy. She is not faced with ordinary lawlessness in India. She is not confronted with an ordinary challenge to constituted authority. It is true that any Government must act in self-defence, and meet lawlessness whatever be the inspiration behind it. But in having to do so, it must never forget that no Government is really strong without the strength of public opinion behind it, and that the gravest emergency with which any Government, however powerful, is faced is an outlook or measure which is calculated to weaken or antagonise these true elements of strength. A Press Ordinance or any other emergency measure should be considered from the point of view which should not be narrow but wise and enlightened prudence. And, particularly should this be remembered if England and India are to remain knit together in mutually helpful and honourable fellowship.

*(Especially contributed by Prof. Pramathanath Mukhopadhyaya, the late Editor, the "Servant," Calcutta.)*

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# The Lahore Congress

## Gandhiji's Review of the Session

Reviewing the Lahore Session of the Congress Mahatma Gandhi wrote the following in "Young India" dated 9th January 1930 —

Pandit Jawaharlal Nehru more than justified the choice of the people. His address brief and to the point was bold, extreme in conception but moderate in expression. It bore evidence of a man capable of viewing things with complete detachment. A confirmed socialist, he wants for his country what only the country can manage. He is a practical statesman, tempering his ideas to suit his surroundings. But for himself he is an idealist who would ever strive to live up to his ideals.

As in his address, so in the chair. He was strong, yet accommodating. His wit came to his rescue on many an awkward occasion. He never hesitated when action was required. His tireless energy and entire self-forgetfulness, his natural simplicity and affability captivated every one. No Government that is at all anxious to do what is right can have any reason to fear Jawaharlal Nehru. A wicked Government would soon feel the strength of a stalwart who counts no price too dear to pay for ridding the country of wicked rule.

The youth of the country has every reason to be proud of their representative, the nation may well rejoice to find in Jawaharlal Nehru such a noble and worthy son. May God's blessings descend upon him and may the nation reach her destination during Jawaharlal's year of service.

### INDEPENDENCE.

The resolutions of the Congress strictly followed the trend of the presidential address. Let us first consider the central resolution. In strict accordance with the Calcutta resolution and owing to a combination of circumstances undesignated by anybody, Dominion Status gave place at the stroke of midnight 31st. December, 1929, to complete Independence as the immediate objective of the Congress. Swaraj in article 1 of the Congress constitution is now to mean complete Independence. It is as well. Apart from the Calcutta resolution, Mr. Binn's statement that India already had Dominion Status in action made that phrase impossible of acceptance to convey the nation's meaning. If representation, at important functions, of India through representatives chosen by the British Government, means Dominion Status in action, Heaven help India. The Congress means something totally different from it. For the Congress, Dominion Status meant complete independence plus voluntary partnership with Britain as it might be with any other nation for mutual good. Lastly it has been of late loudly whispered that Independence was illegal, and a resolution replacing Dominion Status with Independence would mean the death of the Congress. This threat made it a sacred obligation for the Congress to incorporate complete Independence in the Congress creed. The Congress would not be worthy to represent the nation, if for fear of consequences, it hesitated to enunciate the nation's birthright. If Swaraj was a doubtful word, it becomes unequivocal by becoming Purna Swaraj.

### 'PEACEFUL AND LEGITIMATE.'

But the Congress rejected by an overwhelming majority any change in the description of the means. They still remain 'peaceful and legitimate'. There were members in the Subjects Committee who suggested that independence would not be vindicated by non-violent and lawful means. Violence there undoubtedly was in the air. But I feel that those who flock to the Congress session year by year have a living faith in non-violence as the only possible means for India at least to regain her lost freedom. Non-violence and truth are the vital need for India if the stupor of the millions is to be removed, if the warring communities are to be welded into one. A foreign power must be a necessary factor for any community that will coerce any other or the others into submission to its will. But the Congress must perforce remain non-violent if it will represent, as it claims to represent, all communities. Whether therefore it takes a year or ages to reach political independence, non-violence and truth are in my opinion the shortest way to it. Complete Indepen-

dence of the Congress is no menace to a single legitimate foreign interest or the presence of a single Englishman who will live as a friend willing to submit to the rules applicable to the whole of Independent India.

This is clear from the condemnation of the bomb resolution and the clause in the central resolution appreciating the efforts of the Viceroy to arrive at a peaceful solution of the national problem. Both the bomb resolution and the clause were hotly contested, but the Congress accepted both the one by a substantial majority ascertained after a division and the second by an overwhelming majority. I am sure that by passing the resolution and the clause the nation has conformed to its creed and risen in the estimation of the world, as it would have denied its creed and lost in the world's estimation, if it had refused to condemn the bomb outrage and perform the common courtesy of recognising the good even in a representative of a rule which we seek to destroy.

#### BOYCOTT OF LEGISLATURES

To the constructive programme the Congress has added boycott of legislatures. This was in my opinion inevitable. Those who would have Independence have to work outside the legislatures and among the people. That no single seat will remain vacant because of Congressmen withdrawing from the legislatures is no reason for opposing the boycott. Let those who believe in the legislatures by all means go there. It is enough that Congressmen employ themselves otherwise and cease to give these bodies any prestige through their presence there. For me the decisive opinion of Pandit Motilalji in favour of boycott was enough to incorporate it in the resolution.

The programme would have been undoubtedly strengthened if law courts and Government schools were also boycotted. But the atmosphere was absent. The Congress is not an organisation to enunciate theories, but to anticipate national wants and wishes, and forego practical sanctions for their fulfilment.

Local bodies stand on a different footing. They were included in the original draft. But as opinion was sharply divided, I did not press for their retention in the boycott clause. Let no one, however, run away with the idea that it is now any Congressman's duty to seek election to or capture these institutions. On the contrary, it is the duty of every Congressman to retire from or avoid them, if they take away the best workers' attention from better work or if they mean continuous wrangling, dissensions or worse. They are at liberty to remain in them or seek election thereto when they are convinced that by their presence there, they can promote not merely some legitimate interest but national independence.

#### CIVIL DISOBEDIENCE

The greatest and the most effective sanction however is civil disobedience including non-payment of taxes. Whilst the task of choosing the time and the method of it has been nominally and properly left to the All-India Congress Committee to decide, I know that it is a duty primarily devolving upon me I must confess that I do not see the atmosphere for it to-day. I want to discover a formula whereby sufficient provision can be made for avoiding suspension by reason of Chauri Chaura. A time must come when there may be a fight to the finish with one's back to the wall. With the present temper of many Congressmen, with our internal dissensions, with the communal tension, it is difficult to discover an effective and innocent formula. It may be impossible to offer civil disobedience at this stage in the name of the Congress, and it may be necessary to offer individual civil disobedience without the Congress imprimatur and apart from it. But just now everything is in the embryonic state. I can only give the impatient patriot the assurance that I am concentrating all my powers on discovering a workable formula. He can help me materially by assisting to promote a non-violent atmosphere and to push forward the constructive programme. I know that many have refused to see any connection between the constructive programme and civil disobedience. But for one who believes in non-violence it does not need hard thinking to realise the essential connection between the constructive programme and civil disobedience for *Swaraj*. I want the reader to mark the qualification. Constructive programme is not essential for local civil disobedience for specific relief as in the case of Bardoli. Tangible common grievance restricted to a particular locality is enough. But for such an indefinable thing as *Swaraj* people must have previous training in doing things of all-India interest. Such work must throw together the people and their leaders whom they would trust implicitly. Trust begotten in the pursuit of continu-

ous constructive work becomes a tremendous asset at the critical moment. Constructive work therefore is for a non-violent army what drilling etc. is for an army designed for bloody warfare. Individual civil disobedience among an unprepared people and by leaders not known to or trusted by them is of no avail and mass civil disobedience is an impossibility. The more therefore the progress of the constructive programme the greater is there the chance for civil disobedience. Granted a perfectly non-violent atmosphere and a fulfilled constructive programme, I would undertake to lead a mass civil disobedience struggle to a successful issue in the space of a few months.

#### 'IN THE EXISTING CIRCUMSTANCES'

Whilst thus the central resolution lays down the country's objective and the methods for its attainment in no uncertain terms it does not rule out the idea of a conference in every circumstance. It merely and most properly says, that in the existing circumstances, no good purpose can be served by the Congress being represented at the proposed conference. What are then the conceivable circumstances in which the Congress may be represented at such a conference? I can mention at least one such circumstance. If the British Government invites the Congress to a conference, that is to discuss and frame not any scheme but a scheme definitely of Independent Government and fulfils the other conditions suitable for such a conference, I take it that the Congress leaders will gladly respond. Indeed a conference there must be at some stage or other. It can take place as the proposed conference was expected to take place out of Britain's good grace or (and) pressure of world opinion or out of pressure from us as we hope it will be if we develop sufficient strength. Whether such a time is to be far or near depends upon how we utilise or waste this year of grace.

#### OUR FINANCIAL OBLIGATIONS

Next in importance and almost part of the central resolution must be deemed the one dealing with our financial obligations. Every one who knows anything of public finance knows how extravagant this Government is and how heavy is the load of debts that is crushing the nation. Every one knows also what concessions have been given to foreigners in utter disregard of the national interest. These cannot demand, dare not expect recognition from Independent India under the much abused name of vested interests. All vested interests are not entitled to protection. The keeper of a gambling den or of a brothel has no vested interest. Nor has a corporation that gambles away the fortunes of a nation and reduces it to impotence. The Congress at Gaya therefore passed a comprehensive resolution repudiating certain debts. The last, whilst reaffirming the Gaya resolution, laid down that obligations or concessions pronounced to be unjust and unjustifiable by an independent tribunal shall not be recognised by the Independence Government to come. No exception can, in my opinion, be possibly taken against such a reasonable proposition. To shirk the issue is to invite disaster.

#### COMMUNAL QUESTION

Equally important is the communal resolution. Though it was adopted for the sake of the Sikhs, it was necessary otherwise too to enunciate the principle underlying it. Independent India cannot afford to have communal representation, and yet it must placate all communities if the rule of Independence is not based on coercion of minorities. But the Congress has now to cultivate a spirit of common nationality and refuse to resort to camouflage or expedience in a matter so vital as the communal question. In the Congress we must cease to be exclusive Hindus or Mussalmans or Sikhs, Parsis, Christians, Jews. Whilst we may staunchly adhere to our respective faiths, we must be in the Congress Indians first and Indians last. A good Hindu or a good Mussalman should be a better Hindu or better Mussalman for being a lover of his country. There never can be any conflict between the real interest of one's country and that of one's religion. Where there appears to be any, there is something wrong with one's religion i.e., one's morals. True religion means good thought and good conduct. True patriotism also means good thought and good conduct. To set up a comparison between two synonymous things is wrong. But if the Congress is ever forced to consider a solution based on communalism, the resolution binds it to reject any that does not satisfy the parties concerned. In order, however, that the Congress may never be faced with a situation demanding communal solution it should now be joined in large numbers by Mussalmans, Sikhs and others who will

have India as one indivisible nation. I for one would welcome the Congress passing into Mussalman, Sikh, Parsi, Christian, Jewish hands rather than that it should be in any sense a sectional organisation. Any one who has the spirit of service in him can capture the Congress. It has the most democratic franchise. Its doors are ever open to those who would serve. Let all join it and make it a mighty instrument for gaining complete independence for the poorest, the weakest and the most down-trodden. I must defer the consideration of other resolutions and the other matters relating to this remarkable Congress to a future issue, if not the next.

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## The Shipping Conference

The Shipping Conference attended by representatives of the principal companies engaged in the coastal trade of India, was opened at Delhi by H E the Viceroy on the 3rd January 1930. The Conference was held within closed doors and the Press was not allowed admission. The following agreed statement was subsequently issued to the Press —

"The Conference summoned by the Government of India to consider the development of an Indian Mercantile Marine met at Delhi on the 3rd and 4th January, under the presidency of His Excellency the Viceroy. "The whole question of the means by which the growth of Indian merchant shipping could be promoted was discussed, and particularly Indianisation of the coastal trade. Various possible solutions were tentatively explored, but on some points the difference between the representatives of British and Indian interests appeared to be fundamental and no agreement was reached."

Regarding the failure of the Conference to come to agreement the "Hindu" of Madras wrote the following in its issue of 6th January 1930:—

"While the precise details of the proceedings of the Shipping Conference convened by the Viceroy are not available, it is clear that the Conference has broken down owing to failure to agree on what all the parties thereto considered to be a fundamental issue. That issue, so far as we are able to gather from the messages received by us, appears to have been the claim of the existing British companies for compensation for goodwill. If that is so, we are not surprised at the failure of the Conference. The Indian delegates were perfectly right in refusing to agree to the demands put forward by European vested interests because those demands were preposterous and unjustified. The attitude of the representatives of foreign companies implies a refusal to recognise the inherent right of this country to adopt a national economic policy. The claim for the reservation of coastal shipping in India to Indian bottoms does not, let us point out, imply any desire to adopt a policy of racial discrimination. Much less can it be said that it is an attempt at the expropriation of any defined rights or interests. It may be recalled that Sir Charles Innes raised this cry of expropriation of property, goodwill and the rest of it in the Assembly; but his arguments were conclusively met by the speakers on the side of the popular parties. Surely, it is idle to contend that such nations as the United States of America and Dominions so devoted to the mother country as Australia and Canada, did not consider these aspects of the Coastal Reservation legislation which each of them has passed.

"The fact is that the opponents of the measure, when they attack the principle underlying it, ignore well-understood legal principles and economic policies accepted the world over as correct. The contention put forward is that the Bill involves the expropriation of the goodwill and the earning power of large foreign interests in India's coastal trade and that unless the measure provides that under it there will be no acquisition of assets, whether tangible such as ships or intangible such as goodwill, without proper compensation, the representatives of vested interests in the country cannot agree to it. In regard to this, one has only to point out that, as a matter of general principle, there can be no expropriation of, and consequently no compensation for, trade expectations and possibilities of development. It is no use forgetting that there can be no goodwill or earning power to be compensated which cannot be enforced under the law as against others. Can it be contended that the

existing shipping companies or combines can obtain an injunction order under the law against the starting of rival shipping concerns on the ground that they have by prescription acquired a monopoly in defined and exclusively proprietary interests in the coastal shipping of this country? If they cannot do so, the case for compensation fails. Indian nationals will always generously consider all reasonable claims for compensation, but they cannot, with any sense of justice to a poor country, entertain demands for compensation for intangible "stakes and interests" from which large profits were derived in the past and from which, as a result of the inevitable march of progress of events in the country, they will not be able to derive the same profits in the future.

Those concerned will do well to reflect deeply before they take any hasty steps in rejecting reasonable offers. The coastal shipping of a country is recognised all over the world as a legitimate domain of national industry which the Government is under a duty to protect and develop in the interests of the nation and not to be administered or controlled in the interests of foreign rivals. The League of Nations has recognised that this is so. It cannot be contended either that a measure reserving coastal shipping to Indian nationals is not necessary or urgent in India. The development of an Indian mercantile marine is the recognised policy of the Government. It is also notorious that owing to the unfair methods of competition ruthlessly indulged in by foreign concerns, all efforts made by Indians to develop such a marine without the aid of the legislation ended in ruinous loss. In the circumstances, the foreign concerns cannot approach the State for any support at the expense of the tax-payer. All demands for such support, we hope, will be firmly resisted.

## Lahore Prisoners' Memorial to Government

The following letter was addressed on the 30th January 1930. by S. Bhagat Singh, B. K. Dutt and other undertrials in the Lahore Conspiracy Case to the Home Member, Government of India through the Special Magistrate, giving notice of one week for reply after which they proposed to resume hunger-strike. The Magistrate forwarded the letter to the Executive authorities. The letter ran:—

"Sir, With reference to our telegram dated the 20th January, 1930 reading as follows we have not been favoured with the reply—

Home Member, India Govt, Delhi—

"Under-trial Lahore conspiracy case and the other political prisoners suspended hunger-strike on the assurance that the India Government was considering Provincial Jail Committee's Reports All-India Government Conference over. No action yet taken. As vindictive treatment to political prisoners still continues we request we be informed within a week final Government decision Lahore Conspiracy undertrials."

### WHY THEY SUSPENDED HUNGER-STRIKE

"As briefly stated in the above telegram we beg to bring to your kind notice that the Lahore Conspiracy Case undertrials and several other political prisoners confined in the Punjab jails suspended hunger-strike on the assurance given by the members of the Punjab Jail Enquiry Committee that the question of the treatment of the political prisoners was going to be finally settled to our satisfaction within a very short period. Further after the death of our great martyr, Jatindranath Das the matter was taken up in the Legislative Assembly and the same assurance was made publicly by Sir James Crear. It was then pronounced that there had been a change of heart and the question of the treatment of political prisoners was receiving the utmost sympathy of the Government. Such political prisoners, who were still on hunger-strike in jails of the different parts of the country then suspended their hunger-strike on the request being made to this effect in an A. I. C. C. resolution passed in view of the said assurance and the critical condition of some of these prisoners.

"Since then all the local Governments have submitted their reports, a meeting of the Inspector-Generals of Prisons of different provinces has been held at Lucknow and the deliberations of the All-India Government Conference have been concluded at Delhi. The All-India Conference was held in the month of December last. Over one month has passed by and still the Government of India has not carried into effect any of the final recommendations. By such dilatory attitude of the Government we no less than the general public have begun to feel that perhaps the question has been shelved. Our apprehension has been strengthened by the vindictive treatment meted out to the hunger-strikers and other political prisoners during the last four months. It is very difficult for us to know the details of the hardships and sufferings to which the political prisoners are being subjected. Still the little information that has trickled out of the four walls of the jails is sufficient to furnish us with glaring instances. We give below a few such instances which we cannot but feel, is not in conformity with the Government's assurance.

"(1) Sri B. K. Banerji, who is under-going 5 years' imprisonment in connection with the Dakshineswar Bomb case in the Lahore Central Jail, joined the general hunger-strike last year. Now as a punishment for the same, for each day of his period of hunger-strike two days of remission so far earned by him has been forfeited. Under the usual circumstances his release was due in December last but it will be delayed by full 4 months.

"In the same jail similar punishment has been awarded to Baba Sobhan Singh, an old man of about 70 now undergoing his sentence of transportation for life in connection with the Lahore Conspiracy case. Besides among others, S. K. Kabul Singh and S. Gopal Singh, confined in Mianwali Jail, Master Mota Singh in Rawalpindi Jail have also been awarded vindictive punishments for joining the general hunger-strike. In most of these cases the periods of imprisonment have been enhanced while some of them have been removed from special cases.

"(2) For the same offence i. e. joining the general hunger-strike, Messrs. Sachindra Nath Sanyal, Ram Krishna Kattui and Suresh Chandra Bhattacharya confined in Agra Central Jail, Rajkumar Sinha, Monmota Nath Gupta, Sachindra Nath Bakshi and several other Kakori conspiracy case prisoners have been severely punished. It is reliably learned that Mr. Sanyal was given bat-fetters and solitary cell confinement and as a consequence there has been a breakdown in his health. His weight has gone down by 16 pounds. Mr. Bhattacharya is reported to be suffering from tuberculosis. The three Banerji Jail prisoners have also been punished. It is learnt that all their privileges were withdrawn. Even their usual rights of interviewing with relatives and communicating with them were forfeited. They have all been considerably reduced in their weight. Two press statements have been issued in this connection in September 1929 and January 1930 by Pt. Jawaharlal Nehru.

"(3) After the passing of the A. I. C. C. resolution regarding hunger-strike the copies of the same which were wired to different political prisoners were withheld by the Jail Authorities. Further the Government even refused a Congress deputation to meet the prisoners in this respect.

"(4) The Conspiracy case under-trials were brutally assaulted on the 23rd. and 24th. October, 1929 by orders of high police officials. Full details have appeared in the press. The copy of the statement of one of us as recorded by the Special Magistrate Pt. Sri Krishna has been duly forwarded to you in a communication dated the 16th December, 1929. Neither the Punjab Government nor the Government of India felt it necessary to reply an acknowledgment receipt of our communication praying for enquiry. While on the other hand the local Government has felt the imperative necessity of prosecuting us in connection with the very same incident for offering violent resistance.

"(5) In the last week of December, 1929, Sri Kiron Chandra Das and others confined in Lahore Central Jail while being taken to and produced in the Magistrate's Court were found handcuffed and chained together in fragrant breach of the unanimous recommendations of the Punjab Jail Enquiry Committee and also of the Inspector-General of Prisons, Punjab. It is further note-worthy that these prisoners were under-trials, charged for a bailable offence. A long statement issued by Dr. Mohd. Alam, Lala Duni Chand of Lahore and Lala Duni Chand of Ambala in this connection was published in the "Tribune."

#### TO RESUME HUNGER-STRIKE

"While we learnt of these and other sufferings of the political prisoners we refrained from resuming hunger-strike though we were much aggrieved, as we

thought the matter was going to be finally settled at an early date. But in the light of the above instances, are we now to believe that all the untold sufferings of the hunger-strikers and the supreme sacrifice made by Jatindra Nath Das have all been in vain? Are we to understand that the Government gave its assistance only to check the growing tide of public agitation and to avert a crisis? We hope you will agree with us when we say that we have waited patiently for a sufficiently reasonable period of time. But we cannot wait indefinitely. The Government by its dilatory attitude and the continuation of vindictive treatment of political prisoners, have left us no other option but to resume the struggle.

"We realise that to go on hunger strike and to carry it on is no easy task. But let us at the same time point out that the revolutionaries can produce many more Jatin and Wazirias, Ram Bakhas and Bhau Singhs (the last two named laid down their lives in the Andaman Islands in 1917, the first breathed his last after 92 days of hunger-strike while the other died the death of a great hero after silently undergoing inhuman tortures for full six months).

'Enough has been said by us and the members of the public is justification of a better treatment of political prisoners and it is unnecessary here to repeat the same. We would, however, like to say a few words as regards the inclusion of motive as the basis and the most important factor in the matter of classification. Great fuss has been created on the question of criteria of classification. We find that motive has altogether been excluded so far from the criteria suggested by different Provincial Governments. This is really a strange attitude. It is through motive alone that the real value of any action can be decided. Are we to understand that the Government is unable to distinguish between a robber who robs and kills his victim and a Kharag Bahadur who kills a villain and saves the honour of a young lady and redeems a society of a most licentious parasite? Are both to be treated as two men belonging to the same category? Is there no difference between two men who commit the same offence, one guided by the selfish motive and the other by a selfless one? Similarly, is there no difference between a common murderer and a political worker even if the latter resorts to violence? Does not his selflessness elevate his place from amongst those of ordinary criminals? In these circumstances we think that motive should be held as the most important factor in the criteria for classification.

#### COMPLICATED PROBLEM

"Last year in the beginning of our hunger-strike, when public leaders including Dr. Gopichand and Lala Duni Chand of Ambala (the last named being one of the signatories to the Punjab Jail Enquiry Committee's Report), approached us to discuss the same thing and when they told us that the Government considered it impossible to treat the political prisoners convicted for offences of a violent nature as special class prisoners, then by way of compromise we agreed to the proposal to the extent of excluding those actually charged with murder. But later on the discussion took a different turn. And the communique containing the terms of reference for the Punjab Jail Enquiry Committee was so worded that the question of motive seemed to be altogether excluded and the whole classification was based on the two things (1) Nature of offence and (2) The Social Status of the offenders. This criteria instead of solving the problem made it all the more complicated.

"We could understand two classes amongst the political prisoners. Those charged for non-violent offences and those charged for violent ones. But then creeps in the question of social status in the report of the Punjab Jail Enquiry Committee. As Choudhury Afzal Haq has pointed out, and rightly too, in his note of dissent to this report what would be the fate of those political workers who have been reduced to paupers due to their honorary services in the cause of freedom? Are they to be left at the mercy of a Magistrate who will always try to prove the bonafides of his loyalty by classifying every one as an ordinary convict? Or is it expected that a non-cooperator will stretch his hand before the people against whom he is fighting as an opponent begging for better treatment in jail? Is this the way of removing the causes of dissatisfaction or rather intensifying them? It might be argued that people living in poverty outside the jails should not expect luxuries inside the jail where they are detained for the purpose of punishment. But are the reforms that are demanded of a nature of luxury? Are they not the bare necessities of life according to even the most moderate standard of living? Instead of all the facilities that can possibly be

demanding jails will remain jails. This prison in itself does not contain and cannot contain magnetic power to attract the people from outside. No body will commit offences simply to come to jail. Moreover, may we venture to say that it is very poor argument on the part of the Government to say that its citizens have been driven to such extreme destitution that their standard of living has fallen even lower than that of their jails? Does not such an argument cut at the very root of that Government's right of existence?

#### SEPARATE CLASS FOR POLITICAL PRISONERS

"Any how, we are not concerned with that at present. What we want to say is that the best way to remove the prevailing dissatisfaction would be to classify political prisoners as such into a separate class which may further be subdivided, if need be, into two classes, one for those convicted of non-violent offences and the other for persons whose offences include violence. In that case, motive will become one of the deciding factors. To say that motive cannot be ascertained in the political cases is a hypocritical assertion. What is it that to-day prompts the jail authorities to deprive the "Politicals" even of the ordinary privileges? What is it that deprives them of the special grades or number-laries etc? What does make the authorities to keep them aloof and separated from all other convicts? The same things can help in the classification also.

"As for the specific demands we have already stated them in full in our memorandum to the Punjab Jail Enquiry Committee. We should, however, particularly emphasise that no political prisoner, whatever his offence may be, should be given any hard and undignified labour for which he may not have aptitude. All of them confined in any one jail should be kept together in the same ward. At least one standard daily newspaper in vernacular or English should be given to them. Full and proper facilities for study should be granted. Lastly, they should be allowed to supplement their expenses for diet and clothing from their private sources.

We still hope that the Government will carry into effect without further delay its promise made to us and to the public so that there may not be another occasion for resuming the hunger-strike. Unless and until we find a definite move on the part of the Government to redeem its promise, in the course of the next few days we shall be forced to resume hunger-strike."

## Treatment of Political Prisoners

### Revision of Jail Rules

Important decisions of the Government of India regarding the Jail Rules were announced in a Press Communique on the 19th. February 1930. The following is the text. —

"The Government of India have for sometime had under consideration the amendment of jail rules in certain respects. The matter had been referred to Local Governments who have formulated their views after extensive consultation of unofficial opinion. A conference of the provincial representatives was thereupon held and the Government of India have also had discussions with some prominent members of the Legislative Assembly. The problems under examination have been found difficult and complex and have led to the expression of widely divergent opinions. The Government of India have endeavoured to give due weight to these even when they have not been able to accept in full the representation made. The conclusions at which they have arrived on the more important points and which are designed to secure on matters of principle substantial uniformity throughout India, are now announced.



## CLASSIFICATION OF PRISONERS

Convicted prisoners will be divided into three divisions or classes, A, B and C. Prisoners will be eligible for class 'A' if (1) they are non-habitual prisoners of good character, (2) they by social status, education and habit of life, have been accustomed to a superior mode of living and (3) they have not been convicted of (a) offences involving elements of cruelty, moral degradation or personal greed, (b) serious or pre-meditated violence, (c) serious offences against property (d) offences relating to possession of explosives, fire-arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed, (e) abetment or incitement of offences falling within these sub-clauses.

Prisoners will be eligible for class "B" who, by social status, education or habit of life have been accustomed to a superior mode of living. Habitual prisoners will not be excluded automatically. The classifying authority will be allowed discretion to suggest their inclusion in this class having regard to their character and antecedents, subject to confirmation or revision by the Local Government.

Class 'C' will consist of prisoners who are not classified in classes 'A' and 'B'.

The classifying authorities are high courts, sessions judges, district magistrates, stipendiary presidency magistrates, sub-divisional magistrates and magistrates of the first class (the two latter through the District Magistrate) in cases tried by them originally or in any other case. The District Magistrate should make an initial recommendation for classification in classes A or B to the Local Government, by whom these recommendations will be confirmed or reviewed.

## PRIVILEGES OF PRISONERS

Certain forecasts of their decisions which have been brought to the notice of the Government of India indicate considerable misapprehension in regard to this tripartite division, and its effect upon the existing classes of prisoners. It should be clearly understood that all prisoners within the A class are eligible for the privileges of that class. No class of prisoners will be eligible for any additional privileges on grounds of race. All privileges now given to special class prisoners will be continued to 'A' class prisoners, such as, separate accommodation, necessary articles of furniture, reasonable facilities for association and exercises, and suitable sanitary and bathing arrangements.

In other matters the following decisions have been arrived at :—

The diet for classes A and B will be superior to the ordinary prison diet given to prisoners in class C and will be based on a flat rate of cost per prisoner, within the limits of which the actual food may vary. The cost of the superior diet provided in the case of classes A and B should be borne by the Government, as special class prisoners are under the existing rules permitted to supplement prison diet at their own expense. This privilege will be retained as at present as regards 'A' class prisoners.

The existing rules regarding privileges of special class prisoners to wear their own clothes will continue. As regards A class prisoners, if they desire to have clothing at Government expense, they will be provided with that prescribed for B class prisoners. B Class prisoners will wear prison clothing modified in certain respects and of a better type than that worn by C class prisoners.

A separate jail in each province for classes A and B is desirable, and its provision, though it must depend on the available financial resources of the local Governments, should be regarded as the goal to be aimed at. Meanwhile, the Government of India hope that Local Governments will carefully review the resources of the jails now existing in the provinces and endeavour, by such measures as are within their power, to secure the end in view.

In addition to separate accommodation, the Government of India desire to emphasise the necessity of a special staff to deal with A and B class prisoners, and are of opinion that this matter should receive the earliest possible attention.

In accordance with the principle already applied, the importance of which is reaffirmed, the tasks allotted to prisoners in A and B classes should be assigned after due consideration on medical grounds, and with careful regard to the capacity, character, previous modes of life and antecedents of the prisoners.

The Government of India accept the principle that reasonable facilities, subject to safeguards, should be provided by the Government for the intellectual requirements

of the educated and literate prisoners. Local Governments will be requested to examine the condition of jail libraries in the provinces and in cases where those are non-existent or defective, to take early steps to establish or improve them. Literate prisoners may be allowed to read books and magazines from outside subject to the approval of the Jail Superintendent.

Newspapers will be allowed to 'A' class prisoners on the same conditions as, under the existing rules, they are allowed to special class prisoners, that is, in special circumstances and with the approval of the local Governments. As regards literate prisoners generally, where the local Governments publish a jail newspaper or where they intend to publish it, this publication will be available once a week for literate prisoners. Where the Local Governments are unable to publish a weekly newspaper, the Government of India have decided that a few copies of a weekly paper approved by the local Government should be provided at Government expense for A and B classes of prisoners.

"A" class prisoners will be allowed to write and receive one letter, and have one interview a fortnight, instead of once a month as at present. "B" class prisoners will be allowed to write and receive one letter and have an interview once a month instead of at the considerably longer intervals now permitted under the various jail manuals. Publication of matters discussed at interviews or of the substance of the letters received from prisoners may entail the withdrawal or curtailment of the privilege.

#### TREATMENT OF UNDER-TRIAL PRISONERS

The Government of India accept the principle that some differentiation of treatment is desirable in the case of undertrial prisoners who, by social status, education or habit of life, have been accustomed to a superior mode of living. There will therefore be two classes of undertrial prisoners based on the previous standard of living only. The classifying authority will be the trying court, subject to the approval of the District Magistrate. The diet provided for A and B class convicted prisoners will be given to the former and the diet of C class prisoners to the latter. Undertrial prisoners in either class will be allowed to supplement this diet by private purchase through the jail authorities. Under the existing rules, they are allowed to wear their own clothing. The suggestion has been made that in cases where undertrial prisoners are inadequately clad or are unable to obtain clothing from outside, suitable clothing, which should not be prison clothing, should be provided by jail authorities. The Government of India commend this suggestion for adoption to the Local Governments.

The Government of India are of opinion that the interpretation of the existing rules in a liberal spirit, together with the modifications now proposed and the provision of better cellular accommodation, will effect improvements in the directions which enquiry has indicated as desirable. They therefore hope that Local Governments will make every effort to improve the existing accommodation and will at once utilize and adapt their existing resources to the best possible advantage. In many of the opinions received by the Government of India, stress had been laid on the desirability of separating undertrial prisoners, who are habituals or charged with grave offences, from those who have not been previously convicted. On this subject, the Government of India consider that no further orders are necessary as they understand that this is the existing practice.

The local Governments are now being invited to amend their jail manuals in the light of these principles, and to frame rules where necessary under Section 60 of the Prisoners Act. Pending such revision, they are being requested as far as possible to give immediate practical effect to these changes.

#### Pt. Malaviya's Memorandum

The Delhi Correspondent of the "Hindu" of Madras sent the following communication to the paper on the next day (20th) :—

"The Government communique on the revision of the jail rules was subjected to considerable scrutiny by non-officials in the lobbies to-day. Although the com-

munique claims the support of the party leaders who had jointly approved of the broad outlines indicated, yet it is apparent that some of them did so with great reserve. This fact is brought out by the submission to the Government of a memorandum by Pandit Malaviya, Leader of the Nationalist Party.

"In the course of his memorandum, Pandit Malaviya urges that political prisoners should be treated as a separate class of prisoners. In this class he particularly mentions prisoners convicted under Sections 124 A, 153 A or 120 B of the Penal Code and also prisoners convicted under Section 108 of the Criminal Procedure Code and those convicted under the Princes Protection Act. These, claims Panditji, should be given all the facilities that are now given to first-class prisoners, that is European prisoners—separate cell accommodation with the necessary articles of furniture, superior food, sanitary facilities, etc. They should be entitled to wear their own clothing and given only such work as they are accustomed to or as is suited to their condition of life. Pandit Malaviya further suggests that they should be given daily newspaper and disapproves of the Government proposal to start jail newspapers.

"Pandit Malaviya agrees with Mr. Jinnah that classification of prisoners by the court should be final and not subject to confirmation or review by the Local Government except in the case of a prisoner insisting to be in a better class than the one assigned to him by the court. Pandit Malaviya particularly urges that all under-trials should be regarded as innocents until convicted."

## The G. I. P. Railway Strike

We quote below the informing editorial of the "Advance" of Calcutta dated 6th. February 1930, on the G. I. P. Ry. strike which broke out in Bombay and other places on the 1th. February 1930.—

"The strike on the Great Indian Peninsular Railway has not come upon the country as a surprise. The trouble has been brewing for a long time. The subordinate employees of the Railway, especially the Indian section thereof, have been the victims of unjust and unfair treatment at the hands of the management. For years they have suffered from it with more than ordinary forbearance. Now and then the Union has formulated its demands and placed them before the authorities. It has cried incessantly and cried in vain and in the wilderness. Having exhausted all avenues to peaceful settlement, the Union had no other alternative but to approach the management with its specific demands implemented by the ultimatum that in the event of no response forthcoming it would order a general strike. Accordingly the Agent was informed of the decision of the Union; and in a press statement published on the 2nd. of February he acknowledged receipt of the notice but disposed of it by imputing motives to the Union executive and sounding a note of warning that every endeavour would be made to carry on the essential services. A similar statement had been issued on the 24th. January assuring the public that there would be no difficulty in coping with the situation. In that note an attempt was also made to prove that the proceedings of the Union deciding upon the strike were irregular and *ultra vires* of the provisions of the Trade Disputes Act. Believing as he presumably did that workers had no cause for complaint the Agent slept over the Union's demands and ignored the notice.

"The result of the Agent's short-sighted policy is the strike involving over 75,000 workers all throughout the lines. The workshops at Parel, Matunga and Kurla have completely closed down. At Nasik the menial staff, porters and sweepers have left work. At Igatpuri workers have followed suit. Poona tells the same tale. At Bhopal, Nagpur, Jhansi and Dhond there has been a regular break-down of service in the lines. The suburban traffic is showing signs of partial paralysis. Several mass meetings have already been held in various parts of the affected areas. The strikers are organising mammoth meetings in Bombay and elsewhere. Throughout

they have been firm but non-violent. They have shown no sign of disorderliness. They have done nothing that savours of illegal defiance of the authorities. Only their demands have been put forward. There is nothing in those demands that is extravagant. No victimisation of the Union workers, no wrongful dismissal or discharge of any Railway employees, a fair increase in the present wages of the lower subordinate staff, proper leave facilities for all Railway workers, abolition of racial discrimination, adequate provision for holidays and proper consideration of individual complaints by the authorities, are demands which even the pampered capitalist must be prepared to concede . . . .

"While the unanimous verdict of those who have had the privilege of witnessing the scenes is that the strikers have been uniformly and throughout peaceful, quite a different version emanating from different sources is given of the activities of the Police and the Railway authorities. Two volunteers are reported to have been arrested at Kurla. A circular has been posted at all stations holding out threats of summary punishment by the Magistrates. The President of the Union who was picketing with the volunteers at the Victoria Terminus station was ordered out by two European sergeants. The Police assigned no reasons for that drastic measure. Mr Ruika then removed to the road between the old and the new stations. There again the Railway authorities with the help of the Police ejected the party. Threats of violence were there. Actual force is reported to have been employed. That certainly is not the way to settlement. That cannot give abiding peace. It is foolish to tell the world that strikers have ceased work and are starving for the mere fun of starving, for that is a lie which nobody in his senses would be prepared to believe. The deadlock is as disastrous for the country and the Railway as for the workers themselves....."

## Lahore Conspiracy Case Prisoners

### Refusal to Attend Court

On the 11th. February 1930 Messrs Bhagat Singh and B. K. Dutt sent the following letter to the Special Magistrate, Lahore Conspiracy Case, Lahore, through the Superintendent, the Central Jail, Lahore ;—

"In view of your statement and order, dated the 4th February, 1930 published in the "Civil and Military Gazette" bearing the date of 6th February, we feel it necessary to make a statement clearing the position of the accused as regards their "refusal" to come to your Court so that any sort of misunderstanding and misrepresentation may not be possible.

"In the first place we should like to point out that we have not so far boycotted all the British Courts. We are attending the court of Mr Lewis, who is trying us under Section 32 of the Prison Act for the occurrence dated Jan. 29, in your Court. But there are special circumstances that forced us to take this step in connection with the Lahore Conspiracy Case. We have been feeling from the very beginning that due to the non-feasant attitude of the Court, and misfeasance and malfeasance on the part of jail and police or other authorities, we are being harassed ceaselessly but deliberately with a view to hamper our defence. Many of our grievances had been placed before you in a bail application a few days back. But while rejecting that petition on some legal grounds, you did not feel the necessity of even making a mention of the grievances of the accused, on the ground of which a prayer to bail was made.

"We feel, that the first and foremost duty of a Magistrate is to keep his attitude quite impartial up and above both the prosecution and the defence parties. Even the Hon. Justice Fforde gave ruling that day, telling the Magistrate to be ever at an arm's length from the prosecution. The second most important thing that a Magis-

trate ought to keep by him is to see if the accused have any genuine difficulty in connection with the defence and to remove if any, otherwise the whole trial is reduced to a mere farce. But contrary has been the conduct of the Magistrate in such an important case as where 18 youngmen are being tried for such offences as murder, dacoity and conspiracy for which they may, very likely, be sentenced to death.

"The main grounds on which we were forced not to attend your Court are the following —

"1. Majority of the accused hail from distant provinces and all are middle class people. In these circumstances it is very difficult—nay altogether impossible for their relatives to come here every now and then to help them in their defence. They wanted to hold interviews with some of their friends whom they could entrust with all the responsibilities of their defence. Even common sense says that they are entitled to those interviews. But in this Court the repeated requests made to that effect have, one and all, gone unheard.

"Mr. B. K. Dutt belongs to Bengal and Mr. Kanwal Nath Tiwari to Behar. Both of them wanted to interview their friends Shrimati Kumari Lajyawati and Shrimati Parbati Devi respectively. But the Court forwarded all their applications to the jail authorities who in their turn rejected them on the plea that interviews could be allowed to relatives and Counsel only. Again the matter was brought to your notice, but no step was taken to enable the accused to make the necessary arrangements for their defence. Even after they had appointed those friends as their attorneys, and the attorney's power has been attested by this very Court, no interview was allowed to them. And the Magistrate even refused to write to the jail authorities that the accused demanded the said interviews for defence purposes in connection with the case which he himself was trying. And the accused thus handicapped could not even move the Higher Courts. But the trial was being proceeded with. In these circumstances the accused felt quite helpless and for them the trial had no other value than a mere farcical show. It is noteworthy that the majority of the accused were going unrepresented.

I am an unrepresented accused and could not afford to engage a whole-time counsel to represent me throughout the lengthy trial. I wanted his legal advice on certain points. And at a certain stage I wanted him to watch the proceedings personally to be in a better position to form his own opinion. But he was refused even a seat in the body of the court. Was this not a deliberate move on the part of the authorities concerned to harass us to hamper our defence? Counsels attend the courts to watch the interests of their clients who are not present, nor even represented by them. What are the "special circumstances of this case" that forced the Magistrate to adopt such a hostile attitude towards a barrister, thus discouraging any Counsel who might be invited to come to assist the accused? What was the justification in allowing L. Amar Das to occupy the chair of defence, when he no longer represented any party nor gave any legal advice to any persons? I was to discuss with my legal adviser the question of interviews with attorneys and to instruct him to move the High Court on this point. But I could not get the opportunity to discuss it with him at all and nothing could be done. What does this all amount to? Is this not throwing dust into the eyes of the public by showing that the trial is being held quite judicially, though on the other hand, due to all this high-handedness, the accused do not absolutely get any opportunity to make any arrangements for their defence. This is what we protest against.

"Either there shall be a fair play or no show even. We cannot see injustice being done in the name of justice. In these circumstances we all thought fit that either we should have a fair chance of defending ourselves or be prepared to bear the sentence passed against us in a trial held in our absence.

"The third main grievance is about supply of newspapers. The under-trials as such should never be treated as convicts, and only such restriction can be justifiably imposed upon them as may be extremely necessary for their safe custody. Nothing beyond that can be justified. The accused, who cannot be released on bail, should never be subjected to such hardships which may amount to punishment. Hence every literate under-trial is entitled to get at least one standard daily newspaper. The "Executive" agreed on certain principle to give one daily English newspaper in

the Court. But things done by half are worst than not being done at all. But repeated requests asking for vernacular paper for non-English reading accused proved to be futile. We had been returning "The Tribune" daily in protest against the order refusing a vernacular paper.

"Anyhow those were the three main grounds on which we announced on the 29th January about our refusal to come to the Court. As soon as these grievances will be removed we will ourselves quite willingly come to attend the Court

## The Puthia Mail Robbery Case

The "Hindu" of Madras wrote the following in its issue of the 1st March 1930 regarding the Puthia Mail Robbery Case :—

"The proceedings of the Puthia Mail Robbery case, which was brought to a sudden close on the 24th ultimo at Ghoramara reveal the existence of an extraordinary state of affairs in regard to judicial administration, and deserve very close scrutiny for the lesson they teach and the warning they give. The accused were tried in the case, not in the normal way, but by a special tribunal and under emergency legislation called the Criminal Law Amendment Act. It transpires that after the abrupt end of the prosecution pleader's arguments, counsel for defence, Mr. S. K. Ghose was called upon to argue the case. He submitted that he could not possibly argue without carefully going through the copies of depositions of no less than forty-nine persons, for which he had applied two days previously. The President of the tribunal not only refused to grant the legitimate request of an advocate, but announced his decision to deliver the judgment next day at 11 a.m. That was not all. He, however, asked the parties to wait till 3 p.m. And when the hour struck, the Commissioners who had retired, came back to their seats and asked the defence advocate to argue the case. Mr. Ghose was reluctant to be dragged into a hurried argument in a case of such serious import. Thereupon, Mr. Pringle delivered the judgment of the tribunal that very hour—twenty hours before the appointed time—passing long terms of imprisonment on three of the accused. He sentenced Sushil Das Gupta and Dharani Biswas to six years' rigorous imprisonment each under Sections 394 and 395, I.P.C. and Rakhal to seven years' rigorous imprisonment under Section 120-B. What is more amazing even than this procedure is the emphasis laid on their conclusion as to the guilt of the accused. They say, "The Commissioners are convinced and their belief cannot be shaken that offences have been committed by these accused under the sections mentioned in their charge-sheet". To be thus "convinced" without hearing both the sides is to ignore all accepted canons of judicial administration and to fling justice to the winds."

## Military Training for Students

### Bengal Govt's Policy Delineated

In February 1930 the Government of Bengal in the Ministry of Education issued the following communique to the "Associated Press" :—

"In August 1929, a resolution was carried in the Bengal Legislative Council recommending to the Government the urgent necessity of promulgating rules and regulations for making it compulsory in all schools for boys to take lessons in physical training and military drill and in colleges for students to receive military training.

The Government of Bengal (Ministry of Education) have therefore considered it necessary to give publicity to their policy in the matter and to the action taken by them

"In the first place, Government are unable to accept the proposals that military training should be compulsory in colleges on account of insuperable practical difficulties. Apart from the minor difficulties arising out of the severity and unpopularity of the training and the difficulty of finding a supply of suitable officers, the main difficulty is that the proposal amounts to one of refusing degrees to students failing to reach military efficiency. Such a course would create a serious disturbance in College education in Bengal. The correct policy in this matter, as considered by Government, is the development of University training Corps on a voluntary basis. It has accordingly been directed that the immediate exploration should be made of the possibility of starting new platoons, companies and battalions of this corps.

"Enquiries are also being made from Principals of colleges and in due course action will be directed to ensure that satisfactory physical training curricula are laid down in all colleges and are followed in Government and aided colleges.

"In the matter of compulsory physical training and military drill in schools, Government consider that compulsory military drill should be subsidiary to a general programme of physical culture and curricula have accordingly been laid down for primary schools and for Government aided and secondary school, in which simple drill of a military character has been included. The curricula thus make physical and military drill compulsory in the aforesaid schools.

"So far as Government are aware no compulsory physical training and military drill curriculum has been laid down for secondary schools recognised by the University but not in receipt of grants-in-aid from Government. In 1927, a copy of the report of a committee on physical education was received by Government from the Calcutta University and it was recommended therein that some physical drill or exercise and some organised games for one year should be made compulsory for all students in schools and that two years' time be allowed to all schools to enforce the above. Enquiries are being made how far these recommendations have been put into practice.

"Government are aware that besides laying down a curriculum as compulsory, it is necessary to make provision for teachers trained in physical education. It has been estimated that a minimum of 54 trained physical instructors will be required for Government Art Colleges, Training Colleges and Schools, High Schools and Madrasahs in the province. A scheme was sanctioned for the provision of 54 posts of trained teachers on a higher rate of pay than that of the 42 existing posts of drill masters. One such new post has already been created and 5 existing posts have been converted to posts of higher pay, for filling up with trained instructors.

"In regard to the aided schools, Government have generally accepted the following proposals of the Director of Public Instruction, Bengal, subject to funds being available :—

"(1) Middle schools will be encouraged to levy a special fee for sports and health fund and grants-in-aid will be payable up to one-half of these contribution if the organisation of physical training and drill is satisfactory and if the school maintains on its staff a whole-time or part-time trained and certified instructor.

"2. High schools and Madrasahs to be required within a fixed period to employ one or more trained certified teachers either by recruiting a man specially or by deputing one of their staff for training. Temporary grants-in-aid will be payable to help schools to replace teachers in this way up to one-third of the total cost. Schools will be required to levy a special fee for health and physical culture purposes and grants-in-aid will be payable not exceeding half the amount so levied.

"Grants in-aid will also be payable at the rate of one-third of the total expenditure on promotion of athletic or inter-school competitions and to assist schools in purchasing athletic apparatus.

"Existing facilities for training physical instructors consist of :—

(a) Short courses of six weeks' duration by which certain gymnastic and drill masters of high schools are trained in a year ;

(b) Long course of training at the Y. M. C. A. National School of Physical Education, Madras, which has so far been able to train all the candidates needed for Government institutions.

"The short course is not considered entirely satisfactory and proposals are under consideration for organising, under the Director of Physical Education courses of nine months' duration. Until however this scheme is sanctioned the short course training will continue.

During the current year an amount of Rs 25,000 for experimental work both for grants-in-aid and for expenditure on training classes, has been sanctioned. It is hoped that larger sums will be found in the next and future years for development on the directions indicated by the experiment as suitable. The Director of Public Instruction, Bengal, has further been called upon to show in detail in his annual reports the progress in respect of physical training and military drill in schools so as to keep the matter under continuous observation of Government.

"The Government of Bengal (Ministry of Education) have also approved of certain schemes indirectly connected with the physical education of schoolboys and students. A scheme for the medical examination of all boys in Government high schools and senior madrasahs outside Calcutta has received administrative approval and awaits funds. A similar scheme is in operation for schools in Calcutta. Grants are also made for the encouragement of Boy Scout activities in Government and non-Government schools throughout the province and the grant will be increased as soon as funds become available.

"Lastly, Government have appointed a Director of Physical Education whose duty is to direct and administer departmental activities and who will advise Government on the technical side and take part in the training of instructors".

## Mahatma Gandhi's Ultimatum to Viceroy

The following is the full text of Mahatma Gandhi's ultimatum to His Excellency the Viceroy written from the "Satyagraha Ashram," Sabarmati on the 2nd. March 1930, on the eve of launching the unique campaign of Civil Disobedience. The letter was released to the press on the 6th. March 1930.

"Dear Friend,—Before embarking on Civil Disobedience and taking the risk I have dreaded to take all these years, I would fain approach you and find a way out. My personal faith is absolutely clear. I cannot intentionally hurt anything that lives, much less fellow human beings, even though they may do the greatest wrong to me and mine. While, therefore, I hold the British rule to be a curse, I do not intend to harm a single Englishman or any legitimate interests he may have in India. I must not be misunderstood. Though I hold the British rule in India to be a curse, I do not therefore consider Englishmen in general to be worse than any other people on earth. I have the privilege of claiming many Englishmen as my dearest friends. Indeed, much that I have learnt of the evil of the British rule is due to the writings of frank and courageous Englishmen who have not hesitated to tell the unpalatable truth about that rule.

"And why do I regard the British rule as a curse? It has impoverished the dumb millions by a system of progressive exploitation and by a ruinously expensive military and civil administration which the country can never afford. It has reduced us politically to serfdom. It has sapped the foundations of our culture and by a policy of disarmament it has degraded us spiritually. Lacking inward strength, we have been reduced by all but universal disarmament to a state of cowardly helplessness.

"In common with many of my countrymen, I had hugged the fond hope that the proposed Round-Table Conference might furnish a solution. But, when you said plainly you could not give any assurance that you or the British Cabinet would pledge yourselves to support a scheme of full Dominion status, the Round Table Conference could not possibly furnish a solution for which vocal India is consciously and the dumb millions are unconsciously thirsting. Needless to say, there never was any question of Parliament's verdict being anticipated. Instances are not wanting of the British Cabinet, in anticipation of the Parliamentary verdict, having pledged



itself to a particular policy. The Delhi interview having miscarried, there was no option for Pandit Motilal Nehru and me but to take steps to carry out the solemn resolution of the Congress arrived at in Calcutta at its session in 1928. But the resolution of Independence should cause no alarm, if the word "Dominion Status" mentioned in your announcement had been used in its accepted sense. For, has it not been admitted by responsible British statesmen that Dominion Status is virtual Independence? What, however, I fear is, that there never had been any intention of granting such Dominion Status to India in the immediate future.

"But this is all past history. Since the announcement, many events have happened which show unmistakably the trend of British policy. It seems as clear as daylight, that responsible British statesmen do not contemplate any alteration of British policy that might adversely affect Britain's commerce with India or require an impartial and close scrutiny of Britain's transactions with India. If nothing is done to end the process of exploitation, India must be bled with an ever-increasing speed. The Finance Member regards as a settled fact the 18 pence ratio which, by a stroke of the pen, drains India of a few crores. And, when a serious attempt is being made through a civil form of direct action, to unsettle this fact, among many others, even you cannot help appealing to the wealthy landed classes to help you to crush that attempt in the name of an order that grinds India to atoms.

"Unless those who work in the name of the nation understand and keep before all concerned the motive that lies behind the craving for Independence, there is every danger of Independence itself coming to us so changed as to be of no value to those toiling voiceless millions for whom it is worth taking. It is for that reason that I have been recently telling the public what Independence should really mean.

"Let me put before you some of the salient points. The terrific pressure of land revenue which furnishes a large part of the total, must undergo considerable modification in an Independent India. Even the much vaunted permanent settlement benefits a few rich zamindars, not the ryots. The ryot has remained as helpless as ever. He is a mere tenant at will. Not only, then, has the land revenue to be considerably reduced but the whole revenue system has to be so revised as to make the ryot's good his primary concern. But the British system seems to be designed to crush the very life out of him. Even the salt he must use to live is so taxed as to make the burden all the heaviest on him, because of the heartless impartiality of its incidence. The tax shows itself still more burdensome on the poor man when it is remembered that salt is the one thing he must eat more than the rich man both individually and collectively. The drink and drug revenue too is derived from the poor. It saps the foundations both of their health and morals. It is defended under the false plea of individual freedom, but, in reality, is maintained for its own sake. The ingenuity of the authors of the reforms of 1919 transferred this revenue to the so-called responsible part of dyarchy, so as to throw the burden of prohibition on it, thus, from the very beginning, rendering it powerless for good. If the unhappy Minister wipes out this revenue he must starve education, since in the existing circumstances he has no new course of replacing that revenue. If the weight of taxation has crushed the poor from above, the destruction of the central supplementary industry, i. e., handspinning, has undermined their capacity for producing wealth.

"The tale of India's ruination is not complete without a reference to the liabilities incurred in her name. Sufficient has been recently said about these in the public press. It must be the duty of a free India to subject all liabilities to the strictest investigation and repudiate those that may be adjudged by an impartial tribunal to be unjust and unfair. The iniquities sampled above are maintained in order to carry on the foreign administration, demonstrably the most expensive in the world.

"Take your own salary. It is over Rs. 21,000 per month, besides many other indirect additions. The British Prime Minister gets £1,000 per year, i. e., over Rs. 5,400 per month at the present rate of exchange. You are getting Rs. 700 per day against India's average income of less than 2 annas per day. The Prime Minister gets Rs. 180 per day against Great Britain's average income of nearly Rs. 2 per day. Thus you are getting much over five thousand times India's average income. The British Prime Minister is getting only ninety times Britain's average income. On bended knee, I ask you to ponder over this phenomenon. I have taken a personal illustration to drive home the painful truth. I have too great a regard for you as a man to wish to hurt your feelings. I know that you do not need the salary you get. Probably the whole of your salary goes for charity. But a system

that provides for such an arrangement deserves to be summarily scrapped. What is true of the Viceregal salary is true generally of the whole administration.

"A radical cutting down of the revenue therefore depends upon the equally radical reduction in the expenses of the administration. This means a transformation of the scheme of Government. This transformation is impossible without Independence. Hence, in my opinion, the spontaneous demonstration of the 26th. January, in which hundreds or thousands of villagers instinctively participated. To them Independence means deliverance from the killing weight.

"Not one of the great British political parties is, it seems to me, prepared to give up Indian spoils to which Great Britain helps herself from day to day, often in spite of the unanimous opposition of Indian opinion. Nevertheless, if India is to live as a nation, if the slow death by starvation of her people is to stop, some remedy must be found for immediate relief. The proposed conference is certainly not the remedy. It is not a matter of carrying conviction by argument. The matter resolves itself into one of matching forces. Conviction or no conviction, Great Britain would defend her Indian commerce and interests by all forces at her command. India must consequently evolve a force enough to free herself from the embrace of death. It is common cause that, however disorganised, and, for the time being, insignificant it may be, the party of violence is gaining ground and making itself felt. Its end is the same as mine, but I am convinced that it cannot bring the desired relief to dumb millions and the conviction is growing deeper and deeper in me that nothing but unadulterated non-violence can check the organised violence of the British Government.

"Many think that non-violence is not an active force. My experience, limited though it undoubtedly is, shows that non-violence can be an intensely active force. It is my purpose to set in motion that force as well against the organised violent force of the British rule, as the unorganised violent force of the growing party of violence. To sit still would be to give rein to both the forces above mentioned. Having unquestioning and immovable faith in the efficacy of non-violence as I know it, it would be sinful on my part to wait any longer. This non-violence will be expressed through civil disobedience, for the moment confined to the inmates of the Satyagraha Ashram, but ultimately designed to cover all those who choose to join the movement with its obvious limitations. I know that in embarking on non-violence I shall be running what might fairly be termed a mad risk. But the victories of truth have never been won without risk, often of the gravest character. Conversion of a nation that has consciously or unconsciously preyed upon another, far more numerous, for more ancient and not less cultural than itself is worth any amount of risk. I have deliberately used the word conversion. For my ambition is no less than to convert the British people through non-violence and thus make them feel the wrong they have done to India.

"I do not seek to harm your people. I want to serve them even as I want to serve my own. I believe I have always served them. I served them up to 1919 blindly, but when my eyes were opened and I conceived non-co-operation, the object still was to serve them. I employed the same weapon that I have, in all humility, successfully used against the dearest members of my family. If I have equal love for your people with mine it will not long remain hidden. It will be acknowledged by them even as the members of my family acknowledged it after they had tried me for several years. If the people join me, as I expect they will, the sufferings they will undergo, unless the British nation sooner retraces its steps, will be enough to melt the stoniest hearts. The plan through Civil Disobedience will be to combat such evils as I have sampled out. If we want to sever British connection it is because, when such evils are removed, the path becomes easy and the way to friendly negotiation will be open. If the British commerce with India is purified of greed, you will have no difficulty in recognising our Independence. I respectfully invite you then to pave the way for the immediate removal of those evils and thus open a way for a real conference between equals interested only in promoting the common good of mankind through voluntary fellowship and in arranging the terms of mutual help and commerce equally suited to both.

"You have unnecessarily laid stress upon communal problems that unhappily affect this land. Important though they undoubtedly are for the consideration of any scheme of government, they have little bearing on the greater problems which are above communities and which affect them all equally. But if you cannot see your way to deal with these evils and my letter makes no appeal to your heart, on the 11th day of this month I shall proceed with such co-workers of the Ashram as I can

take to disregard the provisions of the salt laws. I regard this tax to be the most iniquitous of all from the poor man's stand-point. As the Independence movement is essentially for the poorest in the land, a beginning will be made with this evil. The wonder is that we have submitted to the cruel monopoly for so long. It is, I know, open to you to frustrate my design by arresting me. I hope there will be tens of thousands ready in a disciplined manner to take up the work after me and in the act of disobeying the Salt Act to lay themselves open to the penalties of a law that should never have disfigured the Statute Book.

"I have no desire to cause you unnecessary embarrassment, or any at all so far as I can help. If you think that there is any substance in my letter and if you will care to discuss matters with me, and if, to that end, you would like me to postpone the publication of this letter, I shall gladly refrain on the receipt of a telegram to that effect soon after this reaches you. You will however, do me the favour not to deflect me from my course unless you can see your way to conform to the substance of this letter. This letter is not in any way intended as a threat, but is a simple and sacred duty preparatory to civil resistance. Therefore I am having it specially delivered by a young English friend who believes in the Indian cause and is a full believer in non-violence and whom Providence seems to have sent me as it were for the very purpose."

I remain,  
Your Sincere Friend  
M. K. Gandhi.

### The Viceroy's Reply

The following is the text of H. F. the Viceroy's reply to the Mahatma, sent by Mr. G. Cunningham, Private Secretary under date March 5.

"Dear Mr. Gandhi: His Excellency the Viceroy desired me to acknowledge your letter of March 2. He regrets to learn that you contemplate a course of action which is clearly bound to involve a violation of the law and a danger to public peace."

## Mahatma's Second letter to Viceroy

The following is the full text of Mahatma Gandhi's second letter to H. F. the Viceroy drafted just on the eve of his arrest. It was subsequently forwarded to the Viceroy by Mr. Abbas Tyabji who succeeded the Mahatma as the National Leader:—

Dear Friend,—God willing, it is my intention to set out for Dharsana and reach there with my companions and demand possession of the salt works. The public has been told that Dharsana is private property. This is mere camouflage. It is as effectively under Government control as the Viceroy's House. Not a pinch of the salt can be removed without the previous sanction of the authorities. It is possible for you to prevent this raid, as it has been playfully and mischievously called in three ways:—

- (1) By removing the salt tax.
- (2) By arresting me and my party unless the country can, as I hope it will, replace everyone taken away.
- (3) By sheer goondarism unless every head broken is replaced, as I hope it will.

It is not without hesitation that the step has been decided upon. I had hoped the Government will fight the civil resisters in a civilised manner. I could have had nothing to say if in dealing with the civil resisters, the Government had satisfied itself with applying the ordinary processes of law. Instead, whilst known leaders have been dealt with more or less according to legal formality, the rank and file have been often savagely and in some cases even indecently assaulted. Had there been isolated cases they might have been overlooked, but accounts have come to me from Bengal, Behar, Ukal, United Provinces, Delhi and Bombay confirming the experiences of Gujarat, of which I have ample evidence at my disposal. In Karachi, Peshawar and Madras, firing would appear to have been unprovoked and unnecessary. Bones have been broken.

## POLICE TREATMENT OF SATYAGRAHIS.

Proceeding, Mahatma Gandhi alleged that violence in other forms had been used for the purpose of making volunteers give up salt which was to the Government valueless, but to the volunteers, precious Gandhi continued —

At Mathura, the Assistant, Magistrate is said to have snatched the National Flag from a ten year old boy. The crowd that was demanding the restoration of the flag, thus illegally seized, is reported to have been mercilessly beaten. That the flag was subsequently restored, betrayed a guilty conscience. In Bengal, there seems to have been only a few prosecutions and assaults about salt, but unthinkable cruelties are said to have been practised in the act of snatching the flags from the volunteers. Paddy fields are reported to have been burnt and estates forcibly taken. The vegetable market in Gujarat had been raided because the dealers would not sell vegetables to officials. These acts had taken place in front of crowds who for the sake of the Congress Mandate, have submitted without retaliation.

I ask you to believe the accounts given by men pledged to truth. Repudiation even by high officials has, as in Bardoli's case, often proved false. Officials, I regret to have to say, have not hesitated to publish falsehoods to the people even during the last five weeks. I take the following samples from the Government notices issued from the Collector's Offices in Gujarat :

(1) "Adults use five pounds of salt per year, and therefore pay three annas per year as tax. If the Government removed the monopoly, the people will have to pay higher prices, and in addition make good to the Government the loss sustained by the removal of the monopoly. The salt you take from the seashore is not eatable. Therefore the Government destroys it."

(2) "Mr. Gandhi says, the Government has destroyed hand-spinning in this country, whereas everybody knows that this is not true, because throughout the country there is not a village where hand-spinning of cotton is not going on. Moreover, in every province, cotton spinners are shown superior methods and are provided with better instrument, at less price, and are thus helped by the Government."

(3) "Out of every Rs. 5 of debt that the Government has incurred, Rs. 4 has been beneficially spent."

## INCIDENCE OF THE SALT DUTY

I have taken these three sets of statements from three different leaflets. I wanted to suggest that everyone of these statements is demonstrably false. The daily consumption of salt by an adult is three times the amount stated, and therefore the poll tax, that the salt tax undoubtedly is, is at least 9 annas per head per year and this tax is levied from man, woman, child and domestic cattle, irrespective of age and health. It is a wicked falsehood to say that every village has a spinning wheel, and that the spinning movement is, in any shape or form, encouraged or supported by the Government. Financiers can better dispose of the falsehood that 4 out of every 5 rupees of public debt is used for the benefit of the people, but these falsehoods are mere samples.

Now, for instances of official inactivities. Liquor dealers have assaulted pickets, admitted by officials to have been peaceful, and sold liquor in contravention of the regulations. Officials have taken no notice of the assaults, or illegal sales of liquor. As to assaults, though they are known to everybody, they may take shelter under the plea that they have received no complaints.

## "VEILED FORM OF MARTIAL LAW"

And now you have sprung upon the country the Press Ordinance surpassing any hitherto known in India. You have found a short cut through the laws' delay in the matter of the trial of Bhagat Singh and others by doing away with the procedure. Is it any wonder if I call these official activities and inactivities, a veiled form of Martial Law? Yet, this is the fifth week of the struggle.

Before then, the reign of terrorism, that has just begun, overwhelms India, I feel I must take a bolder step, and if possible, divert your wrath in a cleaner, if more drastic channel. You may not know the things that I have described. You may not even now believe in them. I can but invite your serious attention to them any way. I feel that it would be cowardly on my part not to invite you to disclose to the full the leonine paws of authority so that people who are suffering tortures and the destruction of their property, may not feel that I who had perhaps been the chief party inspiring them to the action that has brought to light the Government

in its true colours, had left any stone unturned to work out the Satyagraha programme as fully as it was possible under the given circumstances; for, according to the science of Satyagraha the greater the repression and lawlessness on the part of the authority, the greater should be the suffering courted by the victims. Success is the result of suffering of the most extreme character voluntarily undergone.

#### "THE ONLY WAY TO CONQUER VIOLENCE"

I know the dangers attendant upon the methods adopted by me, but the country is not likely to mistake my meaning I say what I mean and think, and have been saying for the last 15 years in India, and outside for 20 years more, and repeat now that the only way to conquer violence is through non-violence, pure and undefiled. I have said also that every violent act, word and even thought interferes with the progress of non-violent action. If, in spite of such repeated warnings, people will resort to violence, I must disown responsibility save such as inevitably attaches to a human being for the acts of every other human being. But the question of responsibility apart, I dare not postpone action, on any cause whatsoever, if non-violence is a force as the seers of the world have claimed it to be, and if I am not to belie my own extensive experience of its working.

#### PLEA FOR REMOVAL OF SALT TAX

But I would fain avoid a further step. I would, therefore, ask you to remove the tax which so many of your illustrious countrymen have condemned in unmeasured terms and which, as you could not have failed to observe, has evoked universal protest and resentment as expressed by Civil Disobedience. You may condemn Civil Disobedience as much as you like. Will you prefer violent revolt to Civil Disobedience? If you say as you have said, that Civil Disobedience must end in violence, history will pronounce the verdict that the British Government not bearing, because not understanding non-violence, goaded human nature to violence which I could understand and deal with. But in spite of the goading, I shall hope God will give the people of India wisdom and strength to withstand every temptation and provocation to violence. If, therefore, you cannot see your way to remove the Salt Act and remove the prohibition of private salt making, I must reluctantly commence the march adumbrated in the opening paragraph of my letter.

## President Patel's Resignation

### His letter to the Viceroy

On the 25th. April 1930 President Patel tendered his resignation of the Presidentship and membership of the Assembly to enable him to join his countrymen in the movement for freedom. In his letter to the Viceroy, given below, he mentioned the difficulties and obstacles that he, as the first elected President, had to contend with in the discharge of his duties and also stated the reasons for his resignation. The following is the text of his letter:—

"My Dear Lord Irwin, I hereby beg to tender my resignation of the office of President and also membership of the Indian Legislative Assembly. In doing so, I take this opportunity of giving Your Excellency some idea of the difficulties and obstacles the first elected President had to contend with in the discharge of his duties and also of stating briefly the reasons which have impelled me to tender my resignation.

#### "HARASSMENT AND PERSECUTION MY LOT FOR THREE YEARS"

"I have been in the chair of the Assembly since August 1925. Strict impartiality and more than that absolute independence, have guided my conduct throughout. Neither desire for popular applause, nor a fear of Bureaucratic frown have I allowed to influence my conduct at any time. I may have made mistakes, but I

can safely say, with a clear conscience, to-day, that on no occasion have I been actuated by any personal or political feeling and in all that I have said or done. I have according to my poor judgment, endeavoured to consult the best interests of the Assembly and country.

"By unflinching adherence to these two principles in the discharge of my duties, under circumstances however difficult, I brought down on my head the wrath of the Bureaucracy. It is no doubt true that they tolerated my adherence to these principles up to a point but in matters that really mattered to them it was a different story. The King's Government must be carried on, and even the Speaker of the Popular Assembly is expected to behave and to make it easy for the Bureaucracy to function. I gave them no quarter and refused to be a part and parcel of the administration or be subservient to them on any matter, however vital from their point of view. And in the result, harassment and persecution was my lot at least for the last three years. The Chair has been a bed of thorns for me all throughout. They went to the length of organising and carrying out a social boycott of the President of the Assembly. They condoned, to use a milder term, all sorts of attacks in the press, and otherwise, on the impartiality of the Chair in the most unbecoming language imaginable.

"I could not retaliate nor could I speak out, and had to bear all this in solemn silence all the time. The only relief I had was when on occasions I spoke out my mind to some extent to Your Excellency in private. The authority of the Chair and the dignity of the House were matters of no concern to them, or rather it was their special concern, on occasions, to endeavour to undermine them and lower the Chair in the estimation of the public.

#### "CLIQUE OF UNDERLINGS"

"As if this was not enough a clique of underlings, determined on a campaign of vilification, abuse and misrepresentation of the President, was allowed to thrive doing its work unhampered. One of the items of its programme was to prejudice Your Excellency against me. How far they have succeeded in that object it is not for me to say. Certain correspondents of newspapers had always free access to this clique and received at its hands every encouragement and inspiration. The columns of these newspapers were at the disposal of the clique for its campaign against the President with the result that to the ordinary white man, not only at the headquarters of the Government of India but throughout the country, the occupant of the Assembly Chair has become an eye-sore so much so that his exit from the Chair will be hailed with a sigh of relief and even delight by him.

"In these circumstances it should not surprise Your Excellency to learn that I have been shadowed and my movements have been constantly watched. It seemed to me as if there was a deliberate and organised conspiracy to persecute me in order that I might in sheer disgust, tender my resignation and thereby supply a handle to the enemies of India to demonstrate that Indians are unfit to hold such responsible positions. It was an open secret that the Government of India and their officials had no love for me and tolerated me in the Chair because there was no way by which they could remove me except by a direct vote of censure. But they were never sure of getting a majority in the House to pass such a vote and perhaps you would not lightly allow such a motion to be tabled.

"In the midst of all these difficulties, I carried on, because I believed that I was serving my country by doing so. Fortunately, when matters would have come to a crisis I had won, and they had lost. A man with weaker nerves would have resigned long ago or become subservient to them. I did neither, but stuck to my post, and laid down precedents and conventions and gave rulings which I venture to think might do credit to any Assembly in the world.

"My tenure of office had throughout been a period of one continuous struggle between the Chair and the Assembly on the one hand, and the Government on the other and in spite of the many limitations imposed upon me and the Assembly by the constitution, I have always endeavoured to uphold and enlarge the authority of the Chair and the dignity, rights and privileges of the House against the powerful bureaucracy and I believe, I have, in a great measure, succeeded. These five years have been to me so strenuous, so full of worries and anxieties, as to seriously impair my health. My only solace is in the feeling that I still retain the confidence of my people. It is not my purpose to blame any particular individual or individuals. My complaint

is against the system under which all the ugly activities I have just described are possible, and the sooner such a system is put an end to, the better for all concerned.

#### CONGRESSMEN'S BOYCOTT AND AFTER.

"Notwithstanding all harrassment and persecution, I should have certainly continued to occupy the Chair if by doing so I thought that I would better serve my country. But I am convinced that, under the changed conditions, my usefulness as the President of the Assembly has entirely ceased to exist. Owing to the boycott of the Assembly by Congressmen in obedience to the mandate of the Lahore Congress, followed recently by the resignations of the Leader of the Opposition, Pandit Madan Mohan Malaviya and a band of his loyal followers as a protest against the manner and method by which the Government of India forced down the throat of an unwilling Assembly the principle of Imperial Preference, the Assembly has lost its representative character. And when speaker after speaker rose on the Tariff Bill discussion and said that by the attitude adopted by the Government of India, namely, that the Assembly must accept British preference or the mill industry of India must go to wrack and ruin, they would be compelled to vote against their convictions and not on the merits of the Government proposals. I felt whether it was worth while any longer presiding over an Assembly where it was not possible for the President to safeguard even the freedom of vote supposed to have been guaranteed by the Government of India Act.

"It goes without saying that the Assembly would hereafter exist merely to register the decrees of the executive and I would be doing a disservice to my country if I continue to lend false prestige to such a body by presiding over it any more. Apart from these considerations, in the grave situation that has arisen in the country, I feel that I would be guilty of deserting India's cause at this critical juncture if I were to continue to hold the office of President of the Assembly.

"On the 21st January 1930, in explaining my position as President of the Assembly in reference to the resolution of the Lahore Congress, I had used these significant words: "Whilst I am quite clear that it would be wrong and indeed dangerous for any President to act on the mandate of any political party in or outside the House, I am equally emphatic that circumstances as India is, a situation might arise when in the larger interests of the country the President of the Assembly might feel called upon to tender his resignation with a view to return to a position of greater freedom." I have no doubt in my mind that such a situation has now arisen in the country.

#### "MY PROPER PLACE IS WITH THE PEOPLE"

"My people have been engaged in a life and death struggle for freedom. The movement of non-violent non-co-operation and civil disobedience initiated by the Indian National Congress under the leadership of Mahatma Gandhi, the greatest man of modern times, is in full swing. Hundreds of prominent countrymen of mine have already found their place in His Majesty's jails. Thousands are prepared to lay down their lives, if necessary, and hundreds of thousands are ready to court imprisonment in the prosecution of that great movement. At such a juncture in the history of the struggle for the freedom of my country, my proper place is with my countrymen with whom I have decided to stand shoulder to shoulder and not in the Chair of the Assembly.

"As Your Excellency is aware, I was endeavouring in my humble way for the last four years that you have been at the helm of affairs in India, to prevent such a situation from developing. I had, all along, pleaded that a crisis could be averted only by a frank and full recognition, by Britain, of India's claim to complete Dominion Status without reservation, the method of giving effect to that decision being examined in some joint, and equal conference between the plenipotentiaries of the two countries. In another letter, I have stated, in some detail, the result of my endeavours on these lines. That letter, therefore, may be treated as part of this.

"I confess, I felt, for a time, that better days were in sight, and India might soon secure her legitimate place as a self-governing unit in the British Commonwealth of Nations without further sufferings and sacrifices, mainly through your instrumentality. But, recent events, both in England and India, have completely disillusioned me and I have now come to the deliberate conclusion that all talk about a so-called change of heart on the part of the British Government and a change of spirit in the

day-to-day administration of this country and of Dominion Status being in action in India, is merely an eye wash, is as unreal as the Fiscal Autonomy Convention, and is not to be found anywhere translated into action in any shape or form

"In these circumstances, I have no doubt, whatever, that there is no desire on the part of the British Government to recognise the justice of the claim made by the Congress and satisfactorily settle India's problem to the lasting benefit of India and British alike. On the contrary there had been abundant evidence, in the recent action of the Government in all parts of the country, that, true to their traditions they have launched on a policy of ruthless repression designed to crush the legitimate aspiration of a great people. I am convinced, therefore, that Mahatma Gandhi stands fully vindicated in the attitude he had taken up that he was not prepared to advise the Congress to participate in the Round Table Conference in London unless there was a full and frank recognition of India's claim to complete Dominion Status without any reservation, and unless it was made clear that the Conference was to meet to explore the methods of giving effect to such a decision. In such a situation, the only honourable and patriotic course open to me is to sever my connection with the Government of India, which I hereby do, by tendering my resignation, and take my legitimate place in the fight for freedom side by side with my countrymen. I only hope, my indifferent health will not prevent me from actively participating in the movement, but in any case I shall be giving at least my moral support to it by this resignation.

"In the end, I desire to place on record my sincere appreciation of your friendly feeling towards me and of the advice you gave me from time to time, and of your uniform courtesy and kindness throughout. Two instances in particular of your special regard for me I shall always remember with gratitude. During my term of office, my constituency was in serious trouble on more than one occasion: (1) In 1927, owing to unprecedented floods. On that occasion, Your Excellency, at my request, visited the flood stricken area and moved about from village to village under most trying conditions, and expressed to my people your personal sympathy which they needed so much at the time. (2) In 1928, owing to the unjustifiable enhancement of land revenue in the Bardoli Taluka. There too, Your Excellency, at my request, used your good offices with the Government of Bombay to settle the trouble which was about to result in a serious crisis. I now close with the assurance to Your Excellency that, although my official connection with you ceases from to-day, my personal regard for you shall ever continue as hitherto, and with a hope that we might some day meet in our unofficial capacity, and without reserve, exchange notes of our respective actions in our official capacity."

### The Viceroy's Reply

His Excellency the Viceroy accepted President Patel's resignation. In a communication dated 26th April, His Excellency Lord Irwin wrote:

"I have to acknowledge the receipt of your two letters dated April 25th in which you submit your resignation of your office of President of the Assembly and discuss at length the reasons that have led you to that decision. Your letters make it plain that your course of action is not one that could be influenced by reasonable argument and it is evident that nothing is to be gained by a detailed reply, nor is it necessary for me to vindicate the officers of my Government against the charges which bear on their face their own refusal.

"You have, however, given an account of various conversations you have had with me during the time we were in official relations and though I am not in a position to question the explanation of your motives and action I must claim to be the best interpreter of my own. One conspicuous example of a misunderstanding of events lies in your belief that it was at your request or in accordance with your advice that my Government discharged its responsibilities in connection with the movement for refusal of payment of land revenue in Bardoli Taluka in 1926.

"I regret that our official connection should have terminated in such circumstances and can only hope that you and those with whom you are once again to be openly associated may come to realise how grave a wrong you do to India by rejecting the way of peace that lies open through a free conference with His Majesty's Government in order to encourage your countrymen to the deliberate and dangerous defiance of the law".



### President Patel's Second Letter

Mr. Patel's second letter to H E the Viceroy, is another lengthy document, laying before His Excellency certain considerations at this juncture. Mr Patel says, "I believe you are perplexed and puzzled, lest one false step on your part, might make the situation beyond redemption". Mr Patel recalls the numerous talks he had with Lord Irwin. The day he landed in Bombay Mr Patel had a long conversation with His Excellency. Said Mr Patel in the letter:

"I told you how the great Non-Co-operation movement of 1920 was started and how it had very nearly achieved its object but ultimately failed. I also told you then that though the movement had for the time being failed, the Congress was still the most representative institution in India, that Mr Gandhi was still a living force in Indian politics and was merely biding his time and that he was the one man in India with the largest following and the one man, who was essentially fitted to lead a mass movement. I urged upon you the absolute necessity of taking the earliest opportunity to get into touch with him and, with his co operation, to take steps to settle India's problem once and for all. You were then just a stranger to this land and therefore did not rightly express any view or commit yourself to any opinion. Subsequently, you came into touch with your so-called constitutional advisers and your Civil Service who naturally had your ears. You also met a large number of public men of various schools of political thoughts in the country. The only people, who did not come near you, were the Congressmen and the followers of Mr Gandhi.

"Later, in our conversations, you more than once doubted whether Mr. Gandhi really counted in the political arena and whether the Congress had not lost much of its following in the country. I thought you were discounting my advice and that you were being wrongly advised. I then told you that Mr Gandhi would, before long, lead a mass movement in India and that it would be your misfortune to resort to repressive methods, much against your own inclination. I knew that I was all alone in tendering such advice to you and that you would not accept all that I was telling you.

#### TALK WITH LORD BIRKENHEAD RECALLED

"In 1927 when I went to England I told the same thing to His Majesty the King-Emperor and also to Lord Birkenhead and other leading public men of England. Talking about the further Constitutional Reforms with Lord Birkenhead, I told him that nothing short of the immediate establishment of full responsible Government would meet the requirement of the situation and that any delay in doing so would further complicate matters and seriously endanger the relations between the two countries. Difficulties regarding the defence of India were pointed out to me and I told him where there was a will there was a way, and if England would be prepared to give a loan of the requisite number of officers on such terms and conditions as may be agreed upon for a period of, say, five years, the so-called difficulties about defence would disappear. I also warned him that if India's problem was not settled to the satisfaction of the Congress without delay, England must be prepared to face the revival of the Non-co-operation and Civil Disobedience movement of 1921 on a much larger scale in 1930.

#### THE SIMON BOYCOTT

"On my return from England, I repeated all this to you. Two or three months later, I learnt with pain, and no less surprise, that the British Government had appointed an All-White Commission called the Simon Commission. I felt that all my advice had fallen on deaf ears. An overwhelming majority of my countrymen decided to boycott the Commission and I thought of resigning my office to enable me to stand shoulder to shoulder with my countrymen in the boycott agitation. You on being consulted in the capacity of a personal friend and not as Viceroy, advised me not to do so and I accepted your advice and issued a letter to the Press, explaining my position. The boycott movement made tremendous strides and was a grand success. You then, for the first time, realised that, after all, there was something in what I was saying to you all along. You, thereupon, thought of going to England to acquaint the British Government with the situation in India, as you understood it, and to have some declaration made to placate the boycotters."

Proceeding Mr Patel said "It is, no doubt, true that my mentality began to undergo some change, when you decided to go to England to find a way out of the impasse resulting from the boycott of the Simon Commission and I felt that, perhaps, you were destined to help India to realise her destiny and unite the two countries by a bond of real friendship and I saw in your efforts a possibility for India to come into her own, without further sufferings and sacrifices. I believed you meant well, though I did not fully realise your limitations and your difficulties. In any case, I was anxious that your efforts should not be wasted and, therefore, I wanted you to take one very necessary precaution.

#### "ROUND TABLE CONFERENCE"

"On the 25th May last year, when you were about to leave Simla for England, we discussed the subject-matter of your mission, at some length, and I told you, on that occasion, that you were making a great mistake in not ascertaining from Mr Gandhi and Pandit Motilal Nehru what sort of declaration would satisfy the Congress. You told me that you knew their views and, in particular, of Pandit Motilal Nehru through a common friend and that, in any case, it was too late for the purpose. I can not help feeling that considerations of prestige and your hesitancy to believe that the Congress had a great hold on the country and that Mr. Gandhi was really so powerful as I was representing to you, prevented you from accepting my advice. Whilst you were in England, I wrote to you two letters and I had two from you. In my first letter I emphasised what I had told you on the 25th May, that is, by any formula the British Government could make it worth the while of the Congress leaders to agree to take part in a Round Table Conference in London half the battle was won, and I added that my only apprehension was that you were not in full possession of the exact views of the Congress leaders in that respect and that there was therefore the danger of the formula not being acceptable to them.

"In my second letter I expressed my regret that it was not possible for you, before you left India, to have a heart to heart talk with the leaders of the party that really mattered, the only party which was in a position to deliver the goods to any appreciable extent; I meant the Congress party in the Assembly and the country. I then made a definite suggestion that the British Government should take one or two of these leaders into their confidence, either Mahatma Gandhi or Pandit Motilal Nehru or both, and have their previous consent to the terms of the proposed announcement and hoped that the British Government would not permit considerations of prestige to stand in the way of their doing the right thing at the right moment.

#### THE OCTOBER ANNOUNCEMENT

"In your letters, you assured me that you would do your best to find a way of peace out of our difficulties and that you were not likely to under-estimate the importance of doing everything that was possible to make it easier for all sections of opinion to come together. You returned to this country by the end of October and made an announcement on behalf of His Majesty's Government. You were good enough to send me a copy in advance and when I met you in Delhi a couple of days before the announcement was made, I told you at once that the announcement would put the Congress on the horns of a dilemma. If they accepted it, they would run counter to the Calcutta Congress Resolution and their declarations from time to time. If they did not accept it, they would at once lose the sympathy and support of the Liberals and others, who, I had no doubt, would accept the announcement unconditionally. Speaking for myself I was inclined to accept the Round Table Conference, given a satisfactory personnel and general amnesty to political prisoners. I was inclined, not so much because I believed that I and my Congress friends would get all that we stood for as a result of the Round Table Conference, but because I thought that in the event of the failure of the conference and the resulting disappointment in the country, the Congress could start a mass movement with greater justification and under more favourable auspices and also because I was so very much impressed with your sincerity. In any case, of one thing I was certain, namely, that a conference without the Congress leaders was, to my mind, unthinkable and futile. I therefore suggested to you to have a meeting with Mr. Gandhi and discuss the announcement with him.

"In my letter dated 2nd December 1929, I wrote to you as follows : "I should like to repeat, what I have so often made clear, that the acceptance of the announcement by other political parties in the country means very little, if the Congress Party is not reconciled to it. If the Congress at Lahore commits itself to the goal of Independence and declines to participate in the proposed Round Table Conference, it would, in my opinion, be a bad day, both for England and India. It is therefore essential that every endeavour should be made to prevent the Congress from doing so. I have also made it clear to you that the only person, who is yet in a position to save the situation is Mahatma Gandhi and I must impress upon you once again to do all that lies in your power to strengthen his hands and satisfy him. In my interview with you in Bombay I had told you that you should, before the Congress meet at Lahore, say or do something which could be regarded as a sufficient justification by Mahatmaj and his colleagues to ask the Congress to stay its hands."

#### MR. GANDHI'S DEMAND FOR DEFINITE ASSURANCE

"A meeting was accordingly arranged on the 23rd December at the Viceroy's House, Delhi, when Mr. Gandhi and Pandit Motilal Nehru, on behalf of the Congress, asked for a definite assurance from you that, at the Round Table Conference the British Government would support a scheme for the immediate establishment of a Dominion form of Government in India, as a condition precedent to the Congress participating in the conference. As you could not agree to give that assurance, the conference fell through for the moment. However, I felt that Mr. Gandhi was somewhat unreasonable in demanding such assurance when he was dealing with a Viceroy, who was sincerely trying his best to find a solution and I told him so. Subsequent events, both in India and in England, e.g., the speech of Earl Russell, your own address to the Legislative Assembly on 25th January last, numerous prosecutions of public men for mere expression of opinion not involving any incitement to violence and last, but not least, the manner and method by which your Government forced on India Imperial preference, treating all declarations about the reality of fiscal autonomy, made by responsible British statesmen, as mere scraps of paper and in utter defiance of the advice tendered by the President of the Legislative Assembly, that the threat held out to the Assembly by the Government should be withdrawn before voting took place because it was in violation of the spirit of the Fiscal Autonomy Convention and also cut at the root of freedom of vote, guaranteed by the Government of India Act, have disillusioned me completely, and Mr. Gandhi, to my mind, stands vindicated. The Congress met and declared complete independence as its immediate objective and non-co-operation and civil disobedience as weapons with which to attain it.

#### THE CIVIL DISOBEDIENCE MOVEMENT

"Mr. Gandhi gave his ultimatum to you and has now started the movement of civil disobedience. The response is spontaneous and countrywide. Hundreds of my countrymen of the first rank have already courted imprisonment; thousands and thousands are prepared to follow them and even to lay down their lives, if necessary, in the cause of the country.

"The British Government repressed a somewhat similar movement in 1921 by all sorts of means, imprisoning thousands of Congressmen but that movement has left behind a wonderful awakening and a desire for freedom among the masses throughout the country. I have a feeling that every action of yours in this connection, e.g., appointment of the Simon Commission and your unwillingness to take Congress leaders into your confidence before you made your announcement, etc., was based on wrong advice, that the Congress and Mr. Gandhi had not that hold on the country and that following which, I always represented, they had. I know it is not your fault. Any other man, however well-meaning as you are, surrounded by people some of whom are by no means friendly to the Congress and the country and others hopelessly out of touch with the realities of the Indian political life and who could not, under the circumstances, be expected to give right advice, would act similarly as you have done.

#### LAY ASIDE ALL CONSIDERATIONS OF PRESTIGE

"The events of the last few days, I am confident, must have been an eye opener to you and, at this juncture, I desire to tender my final advice. I would ask you to lay

aside, in the larger interests of our respective countries, all considerations of prestige and invite Mr Gandhi for a settlement. I shall be told that Parliament was the ultimate authority, and therefore no other authority had any power to give any undertaking which would commit Parliament. I have never been able to understand this argument. It is no doubt true that, technically, Parliament is the supreme authority but there is nothing to prevent the British Government from giving an undertaking that, so far as they were concerned, they were prepared to make certain proposals to Parliament. It is such an undertaking that Mr Gandhi demands. It is on the basis of such an undertaking that the Conference could meet and discuss such outstanding questions as would be still left open, such as, the number of British troops and officers that should remain in India under the control of a responsible Minister and the period and other terms and conditions of such an arrangement, the question of foreign affairs in the meanwhile and the question of Indian States. Barring these three matters, on which an agreement could be reached at the Conference, no other question regarding the administration of India should be open for discussion at the Conference. The Conference must take the form of a meeting of the plenipotentiaries of both the countries to discuss and arrive at an agreement on these and kindred questions.

"It is true that the Congress has now adopted complete Independence as its object, but I am not without hope that, if without any further sacrifice and delay India is offered complete responsible Government within the British Commonwealth of Nations, she would be prepared to accept it, and perhaps such Responsible Government is more to her advantage in her present condition than isolated independence.

"As I stated to the Assembly on the 21st January 1930, I have always maintained and still maintain, the change in the Congress creed notwithstanding, that the relations between Great Britain and India can only be finally on the basis of India's right to Dominion Status being acknowledged without any reservation and the method of giving effect to that decision being examined in some joint and equal conference between the plenipotentiaries of the two countries, and that the greater delay in finding a solution of the problem on these lines, the lesser the chances for a favourable atmosphere for the purpose, and its general acceptance in this country.

"As you are aware, I have missed no opportunity during the last four years that I have been in the chair of the Assembly, to press this view as strongly as I can upon your attention. No doubt, such a settlement would have been more welcome before the last Congress, but at this stage it is bound to leave in the country a party advocating complete independence and denouncing those who accept the settlement. This, however, would be a matter of domestic concern to be fought out by the two parties in India."

Concluding, Mr V J Patel said :

"I fully appreciate the difficulty of the position in which you have found yourself and I know that no one wishes more than you that the affairs of India may again be speedily guided into smoother waters. May I, therefore, hope that you will take due note of the recent manifestations of the determination of the people of India to attain freedom at any cost, and use your great influence with the British Government accordingly? But if, for any reason, you find yourself unable to persuade the British Government to accept in substance the suggestion I have made, my advice is that you should tender resignation of your high office rather than allow your great name to be associated with a campaign of repression designed to suppress the legitimate aspiration of 320 million human beings.

"You have so far endeavoured to serve India well, and you would have served her even better if you had been correctly advised. You would serve her best by resigning if you find the situation is beyond you and you have to choose between repression and resignation. But I know you hold a unique position in the councils of the Empire of India to-day. You have rare opportunities. Your influence with all the parties in England is great, and you enjoy in an abundant feature the confidence of the Secretary of State for India and the British Government. If, therefore, you take courage and rise to the occasion, you will serve both India and England as no man has served in the past."

# The Viceroy's Announcement

## On the Round Table Conference

On the 12th May 1930 His Excellency Lord Irwin issued an important statement reviewing the political situation and reaffirming British policy and announcing the date of the Round Table Conference : The following is the text of the statement :—

"At this juncture of India's history, I desire to recall the attention of her people to the main facts which out of the present situation have developed. On the 1st November last, I made an announcement on behalf of His Majesty's Government that in their judgment it was implicit in the declaration of 1917 that the natural issue of India's constitutional progress as there contemplated was the attainment of Dominion Status. I further stated that when the Statutory Commission and the Indian Central Committee had submitted their reports and these had been published and when His Majesty's Government had been able in consultation with the Government of India to consider these matters in the light of all the materials then available, they would propose to invite representatives of different parties and interests in British India and representatives of Indian States separately or together, as the circumstances might demand, for the purpose of a conference and discussion in regard both to British India and All-India problems.

### INTERVIEW WITH CONGRESS LEADERS.

On the 23rd December when I met Mr Gandhi and Pandit Motilal Nehru they made it plain that they were not prepared to participate in the Conference except upon new conditions which had found no place in my announcement, and consequent upon that the Congress at Lahore under the guidance of Mr Gandhi proclaimed its creed to be that of complete Independence. It is a matter of great regret that any body of Indian opinion should have rejected the offer of His Majesty's Government. As I have said on a previous occasion, those who have so acted have spurned an opportunity unprecedented in India's history and have rejected a unique chance of playing a constructive part in the evolution of India's future. In order to defeat the proposal of His Majesty's Government, they have sought to proceed not by constitutional means, as might have been expected to appeal to reasonable men, but have deliberately embarked upon a course of civil disobedience fraught with dangers to which it is impossible to suppose its authors can any longer be blind.

"In pursuance of the Congress resolution, Mr. Gandhi sent me on 2nd March last a letter which have been given wide publicity announcing his intention to institute his campaign of Civil Disobedience on the 11th of March by proceeding to disregard the provisions of the Salt Laws. He explained his decision on the ground that the party of violence was gaining strength, that he had unquestioning and immovable faith in the efficacy of non-violence to be expressed through Civil Disobedience and that it would therefore be sinful on his part to wait longer. He concluded by admitting the knowledge that in embarking on non-violence he would be running what might fairly be termed a mad risk. In the reply which I caused to be sent to his letter, my regret was expressed that he contemplated a course of action which was clearly bound to involve a violation of law and a danger to public peace.

### MAINTENANCE OF LAW AND ORDER.

"In my last address to the Legislative Assembly on the 25th January, I was at pains to make clear the inevitable consequences of the adoption of unconstitutional and unlawful methods to bring about a political change to which Mr. Gandhi and his followers stood committed. I further made it plain that while it remained my firm desire, as it was that of His Majesty's Government, to do everything possible for conciliation in order that Great Britain and India might collaborate together in finding a solution of our present difficulties, it was no less incumbent upon myself and my Government to discharge our responsibility for effective maintenance of the law's authority and for the preservation of peace and order.

### "AN OMINOUS TALE."

"The events of the past three weeks have seen the melancholy fulfilment of the anticipation expressed in my reply to Mr Gandhi's letter. From quarters, as far distant as Peshawar and Madras, Bombay and Calcutta, Chittagong and Karachi, Delhi and Sholapur have come an ominous tale of mob violence, of armed and murderous raids and of general defiance of lawful authority. With regret but inevitably, my Government have been compelled, in the face of this growing menace to the well-being and security of the Indian public, to arm themselves and the Provincial Governments with such further weapons as we judged necessary and expedient to restore in the eyes of the world the good name of India for sanity and respect for constituted authority.

### "OUR PURPOSE REMAINS UNCHANGED"

"Driven as I and my Government have been by force of circumstances and by the action of others to take these steps—and I hope that wiser counsels may soon prevail which may render unnecessary the continuance of the measure designed to meet an emergency,—I desire to make it plain that our purpose remains unchanged and that neither my Government nor His Majesty's Government will be deflected by these unhappy events from our firm determination to abide by the policy I was privileged to announce on behalf of His Majesty's Government on 1st of November last. Steps are being actively taken to arrange for assembling in London of representatives at the Conference there contemplated on or about the 20th October next. Though this date is later than in some respects I could have wished, it will offer the advantage to delegates from India of establishing personal relations with Dominion representatives who will then be present in London in connection with the Imperial Conference which has already been arranged to meet at the end of September. The actual opening of the Indian Conference would follow immediately the conclusion of the Imperial Conference.

"If I may sound a more personal note I would say that those who know my mind best will realise how great is the store which I set upon the outcome of this policy, but constructive work such as that which we are eager to begin is only prejudiced and obstructed by disorder. I would accordingly appeal to all persons throughout India calmly and dispassionately to consider these facts for themselves. I recognise that at the present time there is a widespread desire throughout India to see real political advance and I have learnt to love India too well to relax any effort to assist what I hold to be the natural and true development of her political life.

"Such development depends upon the solution of real problems among which there is none more important than that which affects the future position of minorities. So far as this is concerned, it is evident that no settlement can be considered satisfactory which does not carry the consent of and give a sense of security to the important minority communities who will have to live under the new constitution. But so long as those responsible for the Civil Disobedience movement refuse to recognise the realities and proceed as if all that was necessary was to break the law, regardless of the consequences, such action must entail, so long will they be postponing the very things that they profess to desire for India and that others, who do not share their reluctance to see facts as they are, might by this time have gone far to achieve. No more severe condemnation has ever been passed upon any persons than that in which it was said of some that they entered not in themselves, and them that were entering in they hindered."

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# Macdonald-Irwin Correspondence

## Premier's Letter

The following correspondence between the Prime Minister and His Excellency the Viceroy was published along with the Viceroy's statement It begins :—

"My dear Viceroy : As the report of the Statutory Commission may shortly be expected, it is now possible to approach some of the practical questions associated with the Conference that His Majesty's Government, on the proposition of Sir John Simon, have expressed their readiness to convene

"It is the desire of His Majesty's Government, which I believe to be widely shared, that the Conference should begin its work without any more delay than is necessary, to afford reasonable time to His Majesty's Government, in consultation with the Government of India, to consider the problem in the light of all the material then available. I trust that, by the early Autumn of this year, sufficient opportunity for this purpose will have been provided, and I would accordingly propose, if this met with the general convenience of those concerned that the Conference should open immediately after the close of the Imperial Conference. The Indian representatives might reach London about October 20th when the Imperial Conference, which as you are aware, has already been summoned to meet on 30th September, may be expected to have made good progress with its business. It is possible that those who will come from India may be not unwilling to arrive in London while the Imperial Conference is still in session, and to utilise any brief time available before the regular work of the Indian Conference could begin, for informal consultations.

"As regards the personnel of the Conference, it is clearly desirable that this should not be more numerous than is necessary for the principal purpose that His Majesty's Government has in view of securing that those who will speak for British India should fairly represent the different parties and interests concerned. His Majesty's Government will welcome your advice as to the best method of achieving this end after such consultation as you may think necessary. The representation of the Indian States is a matter on which you will also think it right, so far as possible, to ascertain the views of the Ruling Princes and Chiefs.

"There will no doubt be other matters which will require consideration later, but the questions of the date of the meeting and the composition of the Indian representation seem the most immediate. I should therefore be glad to hear from you, as soon as possible, whether the date proposed would be convenient to those concerned in India, and what means seem to you most appropriate for the constitution of the Indian side of the conference."

Yours sincerely,  
J. Ramsay MacDonald.

## Viceroy's Reply

The following is the Viceroy's reply :—

"My dear Prime Minister,—I have naturally been thinking over the matters referred to in your letter for some time past and I have lost no opportunity of making myself familiar with opinion in regard to them.

"It has long been clear, both from the results of the extended enquiry and from the public discussion which have taken place in the legislature and elsewhere, that the overwhelming mass of opinion in India which is prepared to support the conference, desires the conference to meet as early as possible. It had indeed been freely hoped that the conference might meet His Majesty's Government somewhat earlier, but I do not doubt that, in view of the date previously fixed for the Imperial Conference, such public opinion here will generally recognise that the date you suggest is the earliest that is practicable. The representatives of India attending the Indian Conference assemble in London about the 20th October. They will, I anticipate, find no difficulty in employing profitably in informal discussions any brief period that

may intervene before their conference can begin its regular work. I have reason to believe that the Princes are also expecting that the conference will be held this Autumn. I consider, therefore, that the date which you suggest is likely to be acceptable alike to the States and to British India, and shall accordingly take it as the basis of our future plans.

"It is important that the representation of India on the Conference should be fairly distributed among those sections of thought who desire and have a title to be heard, and after examining several alternative methods and discussing the matter freely with men of widely differing opinions I have found the predominant view to be that fair distribution of representation cannot be assured by any process except that of invitation, in consultation, where possible, with the interests concerned. After careful reflection, I am disposed to reach the same conclusion. In regard to the States, I see no cause to anticipate difficulty in a decision being reached as to the personnel of the States' side of the Conference, which would be generally acceptable.

"If, as I hope, His Majesty's Government are able to find themselves in general agreement with these suggestions, I will, in due course, submit proposals on these lines.

Yours sincerely,  
Irwin.

## The Dharsana Salt Raid

### Non-Official Statements.

The raid on the salt depot at Dharsana commenced from the *16th May 1930*. Mr. Hussain Tyabji, ex-Judge of the Small Causes Court, Bombay, Mr. K. Natarajan and Mr. G. K. Deodhar, President of the Servants of India Society, who came to Dharsana to watch the raid issued a statement to the "Associated Press" in which they stated that they visited Untadi as they heard and read in the papers of many complaints of excessive violence and even brutal lawlessness against volunteers taking part in the Dharsana raids, often even against those who were not taking part in them but were mere spectators. They went round the hospitals at Untadi and Bulsar maintained by Congress Committees where "all brave volunteers who received injuries were treated by a band of enthusiastic and self-sacrificing patriotic doctors."

They discovered that the proportion of wounded and injured was comparatively large though deaths and serious cases were few. They visited places once occupied by the Satyagrahis such as camp kitchen at Untadi village which has been confiscated by Government and has been completely destroyed. They wanted to see the salt raid and the way it was repulsed.

With that object they proceeded to a private field which was at such a distance so as not to be hindrance to the authorities and make their presence unobjectionable. That was half a mile away from the Salt Depot itself and at least a furlong from the place where the Satyagrahis were standing. When they were standing at this place a European gentleman came to them and asked them to return to the village for their own safety. What that meant could be realised from the subsequent events. They saw the raiders stopped at a great distance from the salt depot and could see how volunteers were made to stop and were brought back towards Untadi after they had been informed they were all arrested.

One of the complaints repeatedly heard was after being arrested the volunteers were not led but were beaten with lathi blows and lathis were poked into their ribs. It appeared that volunteers were allowed to proceed some 200 yards inside the boundaries and then ordered to retire and on their refusal they were belaboured with lathis until they reached the boundary and for a considerable distance thereafter. They were then chased by galloping Sowars by which time most of them had received very large number of blows. Subsequent scenes in which a large number of wounded



volunteers who were brought on stretchers, some with injuries in more places than one and some even in unconscious condition amply supply proof for the complaints that severe injuries were inflicted on volunteers after they were arrested if they returned to raid. Mr. Waman Mukadam, ex-M L C, who led a party was first arrested and was then beaten.

They heard of complaints of grossly abusive language and Satyagrahis felt that keenly. Another very serious charge was of pressing and other force on vital parts namely, testes. In several cases medical examination showed either one or both testes were swollen. It seemed strange that higher authorities present on the spot should not know it.

Still more serious thing was what they saw with their own eyes that after the Satyagrahis were driven out of the salt boundary, mounted European Sowars rode at full gallop with lathis in their hands beating indiscriminately everybody they saw anywhere between the spot where the Satyagrahis had reached for the raid and the village itself. They actually galloped at full speed through the streets of the village scattering men, women and children and terrorising them.

Villagers ran into lanes and closed themselves in the houses. But if by accident they were unable to escape they were beaten with lathis. One man received injuries in the midst of the village by the galloping of the horse. Another man received lathi blows and his Gandhi cap was forcibly snatched away. These things were most distressing and they appealed to authorities so that these methods of handling Satyagrahis were put a stop to as they were neither necessary nor justifiable.

They further appealed to the authorities to investigate various other complaints which, in their opinion, were not at all unfounded and try their best by issuing instructions that all abusive language, rough handling, and charging with mounted police were abandoned. While thus appealing to the Government not to exasperate the people they would rejoice to see Providence coming to aid with early monsoon directing to exert the Satyagrahis in less distressing activities, now that they had amply demonstrated what their determination, courage and devotion, patriotic cause coupled with discipline had achieved.

### Mr. Hussain Tyabji's Statement

Mr. Hussain Tyabji, ex-Judge, Bombay, who was a joint signatory to the above statement also issued a separate press-note. He said in the course of his statement :—

"I heard on Sunday from the mouth of a respectable man whom I knew to be worthy of credit that he had gone to Dharsana to see the raid of the Satyagrahis, and that though he was far out of the salt pan boundaries, he was charged by a mounted European at full gallop, and that the horse running on its hind legs would have crushed him, but that he escaped miraculously, and was then chased until he succeeded in getting under the protection of some babool trees.

"I was sceptical of news of such character, which though it may be true in substance, may have explanatory circumstances. It was suggested that some trustworthy men should go and see the Government campaign with their own eyes. I was asked if I would go with men like Sir Purushottamdas, Mr. Hirachand Walchand and Mr. Natarajan. I consented. I regret they were unable from indisposition to come and ultimately our party consisted of Mr. Natarajan, Mr. Deodhar and myself. We arrived at Untadi village early in the morning on the 3rd of June, the King's Birthday. We saw the old Satyagrahi Camp, and then saw the batch of volunteers under Bai Manibhen Patel. They set out for their non-violent raid without any weapons or sticks, with prayers. We followed them some distance behind. From Untadi village, with a population of some 1,000 people and a few well-built houses, the salt pan of the village of Dharsana are perhaps half a mile. It took us some 15 minutes to walk there. As I was not a Satyagrahi, I was dressed in a black Astrakhan Mussalman cap and my usual Angarkha, and I desired to post myself far away from the Satyagrahis and even from the Red Cross Corps of volunteers who had posted themselves right out of the skirts of the area of the salt depot. I inquired where the boundary of the depot was. Being pointed out the babool thorn hedge, I stood on an earthen mound, a furlong or so from the Satyagrahi raiders. Soon after, a European gentleman, Mr. Jewel, I am told, with a couple of other Indian officials, came to us and asked me who I was. I gave him my name and designa-

tion and he said, "Well, Mr. Tyabji, I must ask you to leave this place and get away as far as possible as this is a dangerous place." I said I did not wish to trespass the salt depot areas, and was merely a spectator, and would like to be outside the boundary and asked him where I could stand. He said, "Get away to the village of Untadi, for your own sake. This is a dangerous place." To further questions, he merely said he could not discuss. All that he could say was that I should find my way into the village. I understood that I might be beaten anywhere, and I would only be safe in Untadi. I learnt that the first batch of Satyagrahis was arrested, and all marched down to a place close to the village (Untadi), and they were then all allowed to go save their leader. Soon after, we heard a bugle, and I saw two horsemen galloping down with a thick long stick, charging on the people in the fields between the extremist end of the salt depot and the village. I saw them beat several people and I saw people brought on stretchers by the Satyagrahis. The people passed through the village, past the house I was in, and I saw them threatening everybody in the village with these dangerous sticks. The men, women and children in the streets rushed on to the verandahs, but they were not safe even there, and one man was trampled under the horse's foot, immediately opposite to the hospital situated in the very midst of the village, and is at present lying unconscious."

### Official Communique on the Raids

The following is the text of the communique issued by the Director of Public Information, Bombay :—

For some time past considerable prominence has been given in the Press to accounts describing atrocities alleged to have been perpetrated by the Government officers whose duty it has been to defend the salt works at Dharsana from the raids of the Satyagrahis.

These stories have given graphic descriptions of the alleged atrocities : volunteers have been beaten unconscious with lathis, their bodies have been dragged along the ground, pierced with thorns and flung into ditches and almost unmentionable deeds performed upon them. They have been charged with cavalry armed with sticks, ridden down and trampled upon by mounted European officers, numbers of them sustaining wounds which could only have been caused by horses' hoofs.

To obtain first hand information concerning these atrocities the following gentlemen, Messrs. G. K. Devadhar, President of the Servants of India Society, Hussain Tyabji, Ex-Judge of the Small Causes Court, Bombay, Amritlal Thakkar of Dohad and K. Natarajan visited Dharsana and have issued statements recording what they have seen and heard. These statements will repay examination more especially with a view to seeing how much was actually seen and how much was heard by their authors.

One statement made by Messrs. Devadhar, Tyabji and Natarajan, which appeared in the Press on the 5th instant (June), says that these gentlemen, presumably on the 3rd June, "went round the Congress hospitals at Untadi and Bulsar and discovered that the proportion of wounded and injured was comparatively large though deaths and serious cases were few." That statement does not take us very far ; it suffers from a certain vagueness as to what is meant by the proportion of the casualties but it admits that the number of serious cases was few. Little evidence of the atrocities was therefore obtainable at the hospitals. Then, in order to see the way in which a salt raid was repulsed, "they proceeded to a private field which was at such a distance so as not to be a hindrance to the authorities and so as to make their presence unobjectionable." From there "they saw the raids stopped at a great distance from the salt depot, and could see how the volunteers were made to stop and were brought back towards Untadi after they had been informed that they were all arrested." So much they saw, but the account then goes on to say "one of the complaints repeatedly heard was that, after being arrested, the volunteers were not let but were beaten with lathi blows and lathis were poked into their ribs." This would not appear to indicate that such deeds were actually witnessed, nor would it appear to substantiate the foul atrocities attributed to the police. The report then goes on to say that "it appeared" that the volunteers were allowed to do this, then ordered to do that, and then on their refusal belaboured with lathis and chased by galloping sowars and so on.

One thing it does say the authors saw, and that is that "after the Satyagrahis were driven out of the salt boundary, mounted European sowars rode at full gallop with lathis in their hands, beating indiscriminately everybody they saw, anywhere between the spot where the Satyagrahis had reached for the raid and the village itself. They actually galloped at full speed through the streets of the village scattering men, women and children and terrorising them. The villagers ran into the lanes. But if by accident they were unable to escape, they were beaten with lathis." What however, was the sum total of the damage done by this dreadful charge? In the words of the report, 'One man received serious injuries by the galloping of a horse. Another man received lathi blows, and his Gandhi cap was forcibly snatched away.' If such a charge as described above had been actually carried out, surely its effects would have been more visible and more serious. Mr. Amritlal Thakkar did say that he was informed that "the Commissioner, Mr. Garrett has added a new force, viz., trampling of Satyagrahis under horses' hoofs ridden by European sergeants and officers" and that he saw several wounded in hospital trampled under horses' feet and Mr. Waman Muccadam also said that he was told that horses were run over the volunteers' bodies.

#### THE COMMISSIONER'S REPORTS

It is now but fair to examine the reports of the Commissioner, Northern Division and the Deputy Inspector General of Police, Northern Range, both of whom were present throughout and in a position to give an accurate account of what they actually saw happen.

These reports state that on the 31st May last there were three raids on the Salt Works. One of these was dispensed by the employment of a corporal and four mounted signallers belonging to the wireless section stationed at Dungri. This "troop" had come to Dharsana to exercise their horses and to satisfy a natural curiosity to see the Salt Works which were the scene of so much trouble. The Deputy Inspector-General of Police suggested to the corporal that he might take his men right round the maulan in order to see whether the volunteers would thus be dissuaded from attacking. This was done, and the horses halted at the Sarkarkun's quarters for a rest before returning to Dungri. A party of volunteers was then seen advancing on the Nava Zilla and the Corporal and his four men went to cut them off. Some half a dozen of the attackers got into the salt pans where they were easily caught, but the remainder on seeing the horses turned tail and fled with the horses running after them. The whole affair was over in a few minutes and no casualties whatsoever resulted as the mounted men did not get into contact with the volunteers nor had they sticks or other weapons in their hands. An attack on the Bungalow Zilla materialised soon afterwards; the raiders were stopped by the police and sat down on the ground. They had to be forcibly moved back. Half an hour later a third attack developed and the volunteers again squatted when held up by the police. By this time the mounted signallers were en route for Dungri but they came up again and at the sight of them, the majority of the raiders got up and ran off, the remainder being removed by the police.

#### 'MODERATE AMOUNT OF LATHI BEATING'

The Deputy Inspector-General of Police reports that in all these attacks there were no casualties but an abundance of feigning and shamming. The Commissioner, Northern Division, says that the tactics of the volunteers were to lie down when met by the police in the prohibited area. When ordered to go, most of them responded but some had to be carried off and dumped outside. Those who obeyed orders escaped, scot-free, the obstinate ones received a moderate amount of lathi beating. Here it must be remembered these volunteers were in an area in which gathering had been forbidden under the law and that the police were therefore fully justified in using force to disperse them.

The 1st June was the occasion for two more raids made in each case by batches about 50 strong. They were met and warned by the police with the result that some of the volunteers fell out and removed themselves, the remainder being dispersed by force. It is here interesting to note that on this occasion a proportion of the raiders appeared very disgruntled at finding themselves in the firing line; it seems that they had been seduced to "join up" on condition that they would not be used as attacking troops but would be given odd jobs about the camp, etc. They had not bargained for an active part in the operations while their leaders were occupied elsewhere in more pleasant positions.

June the 3rd had been expected to be the occasion of a large demonstration. It was not, but three minor raids were made. The first made by a batch of about 80 was led by Mr Waman Muccadam. It was halted by the police, warned that it was an unlawful assembly and plainly told that if it did not go away it would be dispersed. The head of the column wheeled about and led the way back to the village. Mr Muccadam was detained, given a talking to and allowed to go. He wended his way back to Untadi, but not before he had denied leadership of the batch and agreed to catch the noon train for Godhia. The two remaining batches were dealt with in much the same way, but some force had to be used to disperse the more obstinate of their members. This was the day on which Messrs Tyabji, Thakkar and others were present to watch the atrocities. The obvious futility of the raids appeared to have so depressing an effect that the next day witnessed a wholesale exodus of volunteers for Bulsar.

During all these raids in which all dispersal have been witnessed by such responsible officers as the Commissioner downwards, the officers present and head constables carried light canes instead of the more cumbersome lathis. These canes proved very effective and as whenever it became necessary to employ force their use was restricted to the minimum and as far as possible to the beating of the volunteers on the legs and buttocks, caused very little damage.

These are the two sides of the stories of the raids. It is necessary to judge between the accounts of the atrocities and the cavalry charges given by gentlemen who were present at some time or other and those given by the Government officers in charge of the operations who were present throughout and who day by day were submitting detailed accounts concerning each raid and the measures taken to defeat it. It is admitted that bodies of volunteers who persisted in remaining within the prohibited area, were dispersed by the police carrying lathis and light canes and that in some cases they had to be lifted and dumped outside the boundary. No evidence at all has been produced in support of the stories of testicle squeezing and other such outrages and they are totally denied.

#### PATIENTS IN THE HOSPITAL.

One would have thought that the best evidence as to the way in which these earlier raids have been repulsed would have been found in the hospitals. It must therefore be noted that on the 26th May when the Dharsana camp was being cleared up only 2 cases were alleged to necessitate removal on stretchers. These cases were removed on stretchers to Untadi but latter in the day were seen walking about with no medical attendant at Dungi Station. Again, on the 4th June, a party consisting of the Deputy Inspector-General of Police, Northern Range, the Acting District Magistrate, Surat, and others, paid a visit to Bulsar in order to inspect the hospitals there. They entered the first Congress hospital, formerly a boys' school and were shown round by a Red Cross attendant. There were four patients in the first room who were suffering from lathi bruises. A fifth patient walked in while the inspection was in progress, but no wounds on him were shown to the visitors. In the next room were two patients with similar bruises from lathi blows. In the third room was one patient with a bruised shoulder. In not a single case was it suggested to the visitors that horses' hoofs were responsible for the injuries. By the time the party was ready to inspect the second hospital, which from its size could not have accommodated more than 50 patients, a shouting hostile crowd had gathered and in consequence the second hospital was not visited. It would appear that a visit of inspection from Government officers was not exactly welcome. On the same day the hospital at Untadi was found to contain one patient. Mr. Waman Muccadam was said to be lying injured in the second hospital at Bulsar, but the officers in charge at Dharsana are positive that he sustained no injuries whatsoever. If, as has been alleged, Satyagrahis lying passively on the ground had been ridden over by galloping mounted troops, would there not have been plenty of casualties showing unmistakable signs of hoof marks available, for inspections and, as it has been admitted that the chief object of the latter raids was propaganda, would not care have been taken to ensure that this evidence was utilised to its full value?

#### 'LIGHTER TOUCHES'

To turn from the more serious side, the raids have not been without their lighter touches. The organisers have had apparently of late to spread a very wide net to catch their conscripts, and the Satyagrahis have included old men who when reaching the 'line' have thankfully accepted a lift back to Untadi in a bullock cart, cycle

scouts who on arrest have prayed to be allowed to go home, warriors who have asked to be beaten so that they could return and on receipt of a tap or two on the back of the legs have done so after some complaint that they are not sure that they have been beaten sufficiently to earn their meal tickets, and, best of all, a 'leader' who denied his leadership after reaching the fringe of the battle.

One feature of the raids, however, calls for more serious comment and that is the decidedly unorthodox use made of the Red Cross. It had been noticed during the later raids that the number of Red Cross workers was out of all proportion to the number of attackers, in one case there were 25 Red Cross attendants to 50 raiders, in another 75 such non-combatants to 125 active participants, and in consequence careful watch was kept on their activities. Red Cross helpers were seen discarding their Red Cross badges when they had achieved a position near the salt works, some of them were recognised as men who had been raiders on previous days, and it would appear that the Red Cross has been regarded and used as a rest corps. One volunteer was actually found in possession of a volunteer's badge No 1810 but wearing a Red Cross, a publicity agent was seen wearing a Red Cross, and a well-known lady "general" on being warned by the police for actively directing operations reappeared shortly afterwards with a large Red Cross pinned to her sari. Such practices are, of course, nothing but an abuse of the privileges invariably accorded to the Red Cross.

## The Wadala Salt Raid

### Mr. Slocombe's Impressions

Mr Slocombe, the "Daily Herald" representative wrote the following to his paper on the Wadala Salt Raid. The first raid took place on Sunday the 18th May 1930. Describing it Mr. Slocombe wrote :—

"I was an eye witness to to-day's raid on the salt works at Wadala, several miles outside Bombay, the biggest anti-salt tax demonstration yet staged by Mr. Gandhi's followers. The Congress Headquarters staff have now abandoned the policy pursued at Dharsana and have adopted surprise tactics. The originally announced intention to raid the Wadala Salt pans yesterday, was changed at the last minute and the Police warily assembled in large force in the vicinity of the salt works.

"During the night, however, in small groups the Congress volunteers arrived in the neighbourhood and at dawn, this morning, made their first rush into the prohibited area, where brackish water lay in long salt pans under the rising sun and large heaps of coarse white salt awaited the depredatory hands of the raiding parties. From an early hour, I watched the events from an observation-post on one of the rocky hills which ring in Wadala. Surely the spectacle which greeted my eyes in the plain below was one of the strongest in the history of mankind. Around a barren expanse of flat land, on which the sun beat relentlessly, a thin line of customs police armed with rifles and the Bombay City Police armed with lathis, stood or sprawled listlessly. Here and there the white clad figure of a European Sergeant or the khaki-clad figure of a European officer might be identified. On the confines of the salt works, tiny groups of white clad Gandhites might be seen manoeuvring. They would walk apparently idly in the neighbourhood of the ditch which surrounds the salt pans. Then, casting off the pretence of indifference, they would suddenly make a dash through the muddy ditch and scramble over the rocks in the direction of the heaps of salt. Thereupon, the sprawling Indian police and the watchful European officers would spring suddenly into activity. The raiders were usually allowed to seize the salt and fill the small bags which they carried unmolested. As they returned to the confines of the prohibited area, however, they were arrested and marched off to the compound. At the entrance to the works they were placed in police vans and taken away to prison.

"The arrested volunteers passed triumphantly through a crowd of sympathisers. The bags of contraband salt were passed eagerly from hand to hand, and each man to whom the salt was offered, whether Gandhi-capped or not, ate a few grains of it with true mystical fervour. Later, I descended to the raided territory, and watched one raid at close quarters. One batch of volunteers had been unsuccessful in their first attempt to seize salt. Squatting on the ground in the full heat of the blazing sun, they awaited their young leader's order to make another raid. Only ten yards away, a line of blue-clad police watched them curiously, their own officers—two white-suited British Europeans, a revolver at their belt and a loaded cane in hand—talking in low tones and evidently suffering from the heat. I interrogated the seated group of volunteers. They were all young men. One of them, I was informed, was only 13. They wore an ardent exalted look, those young men ready to lay down their lives in a noble cause; but apart from their evident exaltation, they showed no desire of violence and were, on the whole, extremely attractive-looking and intelligent youths, bright-eyed and even smiling. Some of them showed me the bruises they had received in their earlier raid, bruises they alleged to have received from one of the European Sergeants with boots and cane. They showed natural indignation at such violence, declaring that they expected and would not resist arrest, but it was no part of the duty of the police to offer them violence.

"After nearly an hour's waiting, some members of the group made their raid encouraged by the cheers of the sympathisers. They scrambled across the ditch, and filled their bags with salt and returned separately to their companions. As soon as the salt was seized and the salt law openly broken, the white officers ran towards the delinquents over the rough ground. It was not a very exhilarating spectacle to see one young man brought back by one stout perspiring Sergeant under a running fire of amusing comment from the crowd.

"It was humiliating for an Englishman to stand among this ardent, friendly, but deeply moved crowd of volunteers and sympathisers and watch the representatives of his country's administration engaged in this ludicrous, embarrassing business. It was even more humiliating to stand, shortly afterwards, outside the barbed-wire entanglements charged with electricity, round the empty tenement buildings at Worli outside Bombay, hurriedly prepared for the reception of 6,000 prisoners, expected as a result of to-day's and other incidents of the Civil Disobedience campaign and see the windows of these ugly buildings filled with white Gandhi caps and hear the prisoners shout "Down with the Union Jack." Among the crowd of sympathisers was the wife of a well-known Bombay mill-owner knighted for his services to the British Crown. As this smiling gracious lady described the conditions of the tenants of these Government built tenements, and the burden inflicted by the Salt Tax on the infinitesimal earnings of the population of India, a group of poverty-stricken Indian workers, their wives and children, pressed closely round nodding their heads gravely in confirmation of their spokesman's words 'Home Rule is our birth-right. We were born with it, if need be we shall die for it'. I have heard no more tragic words uttered since I landed in India."

#### The Second Raid—25th May.

The second raid at Wadala took place on Sunday the 25th May 1930. Mr. Slocombe wrote the following on it:—

"After witnessing to-day's dramatic raid at Wadala, 5 miles outside Bombay, I am more than ever convinced that only two courses are open to the British authorities in India. Either they must frankly declare Martial Law all over the country and rely openly upon rifles and machine-guns to maintain respect for law, or they must make a supreme attempt to conciliate the various and complex social forces which Mr. Gandhi's example has set in motion in the only way possible—by a bold declaration in the British Parliament, the summoning of a Round Table Conference to frame a Dominion Status constitution for India, and the offer of inviting Mr. Gandhi in exchange for the calling off of the Civil Disobedience movement.

"To-day's events at Wadala, following closely upon Friday night's four-hour confrontation between the police and the processionists in the heart of Bombay ended in a farce and it might have easily ended in a tragedy. Last Sunday's raid on these salt pans was repeated on a vast scale, but this time the crowd followed the volunteers in their incursions into the prohibited area, and in such numbers that the police officers were unable to prevent them. The total police force assembled included 250 Indian police, of whom a score was armed

with rifles and the rest with lathis, 28 European officers, and sergeants under the command of Superintendent Smith of the Bombay City Police. The Police Commissioner Mr. Healy also witnessed the operation.

"The first raid occurred shortly before 9 this morning and it was carried out by only 100 volunteers, among whom for the first time were 15 Parsees including several adventurous Parsee students who have recently achieved celebrity in India by touring the world on foot. When these volunteers were arrested or they retired hurt, however, their places were taken by the members of the crowd of several thousands which excitedly watched and commented on the operation from the further side of the deep salt water ditch which separated them from the salt pans. It speedily became evident that the police force was totally inadequate to restrain the crowd from entering the salt pan territory either by swimming and wading this ditch, or through the gap of wire-fencing which protected the salt area in the other parts. The activities of the police therefore were restricted to chastising those raiders nearest to them and dispersing with blows, truncheons and lathis any serious concentration or volunteers or sympathisers inside the raided territory. The role of the European Police sergeants was anything but enviable, and they appeared in general to have shown great forbearance. Some of them obviously avoided as far as possible striking Gandhites on the vital parts and although a dozen of the raiders were belaboured in my presence on the head and shoulders, they were for the most part struck on the back and the nether limbs.

"On several occasions the crowd in fiftys or sixtys rushed to the salt mound and then for several minutes, an almost fantastic scene ensued. The salt mound would appear almost obliterated with scrambling dark figures in white Gandhi cap and khaddar dress, hastening to secure the salt whose possession constituted their act of defiance of the law. At first it seemed the blows heartily administered by half-a-dozen European sergeants will be sufficient to drive off the raiders. Some of them, evidently more disciplined than the rest, accepted the punishment with stoic indifference, and went on scraping handfuls of salt into the cotton bags brought for that purpose. Others squirmed and dodged the blows and finally ran off leaving their mission unaccomplished. In the midst of this general melee a shower of stones was hurled through the air and several sergeants received cuts and bruises. One of them stated that despite such stone-throwing which generally emanated from the unseen members of the mob, the attitude of the volunteers themselves was one of non-violent resistance and indeed one stone-thrower was nearly lynched by the crowd in the belief that he might be an 'agent provocateur.' He was rescued by the Congress volunteers who took his name and address and finally released him.

"I witnessed many exciting and, in any other circumstances, laughable incidents during the three hours' raid. Many isolated members of the crowd waded through the deep ditch and after filling the bag with the coveted salt took flying leaps into the water to escape the pursuing police. One white sergeant engaged in such pursuit was unable to stop himself at the water's edge and fell into the five feet of water to the great amusement of the crowd and his brother officers. Another officer, a boy hardly 20 by his looks, raised his sun helmet, and ironically executed a deep bow to the crowd across the intervening ditch everytime they applauded his failure to catch the nimble salt raiders. In fact, if it were not for the occasional stone-throwing, for the heat, for the responsibility of their position which might any moment become intolerable and for the political motives behind this concentration of 20,000 people in the vicinity of Wadala, the whole spectacle might have been treated as a novel sport—an oriental version of boys raiding an apple-orchard under the eyes of an impotent angry farmer. In the eyes of the crowd, which alternately cheered a successful raid and jeered the police who repulsed another raid, the raiding parties were voluntary martyrs risking arrest or injury in a noble cause, and the police guarding the salt works were agents of a tyrannous administration. There lay the danger, and there lay the significance of this strange performance. Only one of the raiders carried out her mission with quiet dignity, very impressive to behold. It was a woman, who emerged from the crowd, climbed through the barbed wire, and approached the salt mound, as if it were an altar, and filled her sari with salt as part of some unknown ritual."

# Liberal Warning to Government

## Sir Tej Bahadur's Statement

"The Indian Daily Mail" published the following letter in *June 1930* on the political situation signed by Sir T. B. Sapru and endorsed by Sir C. P. Ramaswami Aiyar :—

"As week succeeds week the situation instead of showing any sign of improvement is becoming more and more difficult. On the one hand we have the daily multiplying evidence of the determination of the civil resisters to carry out with unflinching vigour their programme ; on the other hand Government are showing day by day that in a trial of strength with them they are equally determined to resort to force, and to adopt every means they can command in quelling the movement.

"Lathi charges, firing, arrests and imprisonment reinforced by Special Emergency Powers, are some of the means resorted to by Government, irrespective of the consequences that are bound to flow from all this. If I have not at any time believed in Civil Disobedience, if I feel that its consequences are bound to be disastrous to the country, I also feel that the after-math of a policy like the one which is finding favour at Simla at present, is bound to be full of bitterness and hatred which it may be impossible to eradicate even though the authors of this policy may be following the discredited maxim of 'victory first and conciliation next.'

"The tragedy of it all is that this should happen in the time of a Viceroy possessed of the ideals and intentions of Lord Irwin. Conciliation has got to come sooner or later. No big country like India, with the surging tide of nationalism, and with the irrepressible and wide-spread self-consciousness, which has undoubtedly arisen in the country, can be ruled for long on the basis of the suspension of ordinary law and by the supersession of civil authority.

"I admit that the situation is abnormal and may call for some extraordinary remedy, but I maintain that that extraordinary remedy cannot be supplied by the mere day to day hide-bound and unimaginative administrator, but by the statesman who must look below the surface and beyond the exigencies of the hour. Until I lose all hope, I consider it my duty to utter a word of warning publicly.

"Government are very fast losing their friends, and it will not suffice for critics in a certain section of the Press here and in England, to say that those friends will not help Government by coming out into the open. No Government, much less a foreign Government, can afford to dispense with a large number of earnest friends and honest supporters. A friend of mine in very high position writes to me that if the Labour Government were to make a new declaration they will cease to exist as a Government within 24 hours. I can only hope that this may be true of the Labour Government until the publication of the Simon report, and that after its publication they may be released from their unfortunate commitments of 1927, in respect of the Simon Commission.

"But should my hope turn out to be false, I am afraid the situation is bound to give rise to some far-reaching results. If I have believed in and do still believe in the efficacy of the Round Table Conference as a means to the solution of the Indian problem I have also hoped and worked for a conference which can ensure the willing co-operation of all the real important political parties and interests.

"What are the Government doing to secure the success of the conference ?

"Here in India I see very little evidence of any attempts on the part of the Government to secure such co-operation. On the contrary, they are making the task of the supporters of the conference more and more difficult and hardly seem to realise that they are making their own impossible. In England the position seems to be scarcely seen in its proper perspective. Shortly after the announcement made by Lord Irwin the speeches in Parliament and particularly those in the House of Lords did incalculable mischief in India as I can assert from personal knowledge. They then followed the most wicked campaign in the Rothermere and the Beaverbrook Press, and the 'Daily Mail' demanded the head of Lord Irwin on a charger. The debate in the House of Lords a few days ago in which Lord Reading, Lord Lloyd, the Marquis of



Zetland and Earl Russel took part, betrays a mentality, which augurs ill for the future. It is amusing to see those noble Lords now extending their loyal support to Lord Irwin, when some of them, at any rate in November last, challenged his wisdom and denounced his idealism. If Lord Salisbury may be taken to represent the English mind, there have been no pledges given to India by England, by her Sovereign and her Parliament and therefore her only policy can be iron rule.

"I sincerely hope Mr Ramsay MacDonald and Mr Wedgwood Benn know better than Lord Salisbury and retired Viceroy and Governors how to honour political pledges. Mr Benn appears to me to be very ill served with news from India. He has ignored facts and possibilities unless these have been withheld from him.

"At the end of his speech on the Indian Estimates which seemed to me to be more like himself than the earlier part of it he reiterated his view that he depended upon Indians for guidance. He thought that if Indians could come to agreement no Parliament could ignore such agreement. Nevertheless, I feel that the speech is bound to cause great disappointment in India, for what India wants is a plain answer to the plain question. Do you mean business?

"I maintain that the time for half-measures or more gestures for promises to be realised on the expiration of an indefinite term has gone by and nothing less than a fulfilment of India's demand for Dominion Status with safeguards for the transitional period can, despite Lord Salisbury, meet the situation.

"It is some consolation that Mr Benn has grasped the truth that the application of force is by itself remedy, the only remedy being, I affirm, a manly policy of conciliation and the implementing of England's undeniable pledges to India, the fulfilment of which can not be postponed until it pleases ex-Viceroy and ex-Governors, with their out of date ideas to be less dogmatic than they are at present, and wiser than they have shown themselves to be since November last.

"I am authorised by my friend, Sir C P Ramaswami Aiyar to say that he completely associates himself with this expression of my views".

### Another Liberal Statement

Sir Chimanlal Setalvad and Sir Cowasji Jehangir (junior), two leading Liberals of Bombay, gave joint expression to a statement, which drew attention to the incalculable economic loss to the country caused by the political situation, and suggested a way out for the consideration, both of the leaders of the Civil Disobedience movement and the Government. In explaining the position of those who had consistently made efforts for co operation with the Government to produce a peaceful and mutually agreeable solution of the Indian problem, they said :—

'Our continued support to the Round Table Conference plan and our opposition, genuine and consistent, to Civil Disobedience must not be interpreted as evidence that on the major issue of our country's right to govern herself we are willing to ally ourselves with forces which would retard the nation's progress and self-government. What we do not approve of is the method used by some of our countrymen to achieve the common end. We have witnessed during the past few weeks a tremendous national uplift, quickening and awakening, and although we have deplored and continue to deplore the means which have been adopted to give expression to it—means which are bringing with it a legacy of economic disturbance and moral, political and social unrest fraught with serious and dangerous consequences—no one can deny that the evidence to-day for the determination of the country to achieve self-Government is stronger than it has ever been in the past. It must be apparent to any observer that behind the organised lawlessness and even behind the undisciplined lawlessness there is a strong flowing stream of national aspirations which will not be checked by mere repression and force.

### PROBLEM BEFORE GOVERNMENT.

'We cannot too strongly emphasise our belief that the present problem before the Government is not merely a question of preservation of law and order. The main and real problem is a political one. When Sir Tej Bahadur Sapru asked the British Government the question: "Do you mean business?" and when Mr. Jinnah points out that the root of this business is complete financial autonomy, they have in a few

words presented the real crux of the problem. The Government are evidently puzzled at the commercial and industrial classes joining and encouraging the civil disobedience movement. The open secret of it is that those classes have begun to despair of getting a fair treatment and encouragement under the present system of administration. The insistence of certain people and certain sections of the press in England is that the hold on India should not be relaxed because England would thereby lose her best market. Such mischievous ideas have made the commercial and industrial classes very suspicious of the British intentions in spite of the repeated repudiation by Mr. Bann of the creed of exploitation. Those people in England who are advocating the preservation of the Indian market for British products by keeping up English domination over India are rendering the greatest disservice to England and the Empire. As pointed out by Mr. Bann, no force can compel the Indian peasant or any Indian to buy British products. A discontented India can and will make the boycott of British goods effective, while we are sure a contented, free and prosperous India will be a willing buyer of British goods although no doubt she may try and produce as far as possible all her requirements. British trade will be more safe and thriving in a Dominion India than in India as a dependency. We feel sure that if once the people can be convinced of the complete good faith and sincerity of the intentions of the British Government to make India a self-governing Dominion at the earliest possible moment, the situation will be very much eased. The Announcement of the Viceroy of November last had a magical effect for some time to restore confidence and the people were prepared to put faith in the Labour Government and more so in Lord Irwin, for whom all including Mr. Gandhi and his following have a great respect and regard, but the unfortunate delay of many months in implementing that pronouncement and the still more unfortunate and unwise utterances of some statesmen in England suddenly brought back the public mind to its original state of belief.

#### WANTED A CLEAR STATEMENT OF THE OBJECTS OF R. T. CONFERENCE.

'We are confident that even now if it is made sufficiently clear to the sceptical mind that the outcome of the Round Table Conference will be proposals before Parliament for Dominion Self-government for India with the necessary safeguards for the transition period, the Civil Disobedience movement will lose many of its present supporters. This advice has been repeatedly proffered to Government from various quarters, but they have made no move in the direction indicated. The ill-fated Simon Commission has hung like a dead-weight over the Labour party who made the mistake of agreeing to participate in it and unless its recommendations meet adequately the Indian desires they are likely further to stimulate the present unrest. As far as one can judge from the first part of the Commission's report there is every indication of their recommendations being not of a character that will satisfy public opinion. Daily the position of those who are standing for a peaceful solution by means of the Round Table Conference is becoming more and more difficult and it is sure to become impossible if the present deadlock continues.

#### ADVICE TO LEADERS OF CIVIL DISOBEDIENCE

'We consider it also our duty to make an appeal to those who are leading the Civil Disobedience movement. We know that we have in the past proffered advice to them which has been rejected. We think that in the best interests of the country we should repeat our advice in the hope that it may meet with a better reception although they may not be prepared to agree with us that the Civil Disobedience movement was a mistake and was calculated to harm the interests of the country. We wish them seriously to consider whether the time has not come for them to cry halt. They may have demonstrated how strong the insurgence of nationalism is in the country. They have possibly brought this fact violently to the attention of the Government, but are they serving the best interests of the country in carrying it on further? One result, the effects of which will last for a long time, is that the trade and commerce of the country have been paralysed. The essential of prosperity in trade and commerce is stability of administration. With a mass movement afoot to destroy the existing Government and the spread of the spirit of disobedience of laws and authority and with repeated harials such insecurity and nervousness is naturally produced as to bring all commercial activities to a stand-

still, and if this continues the economic loss to the country will be simply incalculable from which it will take many long years to recover. The one national industry in India which had come to the verge of extinction a few months ago was looking forward to revival as the result of the tariff protection, but owing to the unsettled state of things brought about by the Civil Disobedience campaign it is still in as bad a plight as ever. Moreover it must seriously be considered that any further persistence in the Civil Disobedience movement is sure to hamper those who in England are genuinely friendly to Indian aspirations and even to alienate their sympathy. It would, we venture to think, bring India nearer to her cherished desire to be mistress of her own home if Mr. Gandhi and his supporters suspended the Civil Disobedience campaign and utilised their organisation and the patriotic feelings they have evoked in bringing about an agreement among the various political and communal interests as to the constitution India wants and presenting at the Round Table Conference the united demand of India. Such a demand it will be impossible for His Majesty's Government or Parliament to resist.

#### PEACE WITH HONOUR

"We quite realize the difficulty of the originators and leaders of this movement to call it off at this stage. There is always the danger of the forces they have raised not obeying their command and further the danger of the movement going into the hands of the revolutionaries. It behoves, therefore, for both sides to do everything in their power to secure peace with honour. Simultaneously with the calling off of the Civil Disobedience movement there should be a general amnesty to all political prisoners, not guilty of violent crimes and the definition of the purpose of the Round Table Conference to be evolution of a self-governing Dominion constitution with safeguards for the transition period.

"The Government must recognise the forceful national urge for freedom of which Civil Disobedience is only a symptom, and it must show itself eager to discover some formula which will induce all parties to participate in the London discussions. Mr. Gandhi and his supporters must not miss a proper opportunity to end the present situation which is a menace to the real interests of the country. The only way to save the Round Table Conference and make its success possible is by the avenue of negotiation. Time is the essence of the matter. Every day allowed to pass worsens the situation. A few months ago the bulk of the people were ready to accept a fair and reasonable solution. Every day the number is decreasing and if things are allowed to drift by the time the Round Table Conference meets that number will still further diminish".

# Text of the Ordinances

## The Bengal Ordinance

On the 19th April 1930, a Gazette Extraordinary was issued containing an ordinance promulgated by the Governor-General in the exercise of his powers under Section 72 of the Government of India Act. The statement signed by His Excellency, explaining the reasons for the issue of the ordinance, ran as follows —

"When, at the end of last month the Government of Bengal, with the concurrence of the Government of India and the Secretary of State, decided that that part of the Bengal Criminal Law Amendment Act which granted to the Executive certain exceptional powers of arrest and detention should be repealed, His Excellency the Governor stated on their behalf that they could not ignore the possibility of the emergency again arising which would make it essential for them to be in possession of those Powers. The wide-spread revolutionary organisation whose activities has led to the passing of the Bengal Criminal Law Amendment Act has brought an armed attack on Railway and Police armouries at Chittagong accompanied by murderous outrages and in order to forestall further outbreaks or outrages by terrorists elsewhere the Government of Bengal have represented that it is essential to renew the powers which have so recently lapsed. On the information before me I have no doubt that the emergency justifies and demands the immediate revival of the powers in question and I have therefore deemed it my duty to promulgate an Ordinance, renewing temporarily, the powers which were conferred by those sections of the Bengal Criminal Law Amendment Act, lately repealed".

(Sd) Irwin,  
Viceroy and Governor-General

The Ordinance repeats, according to the "Associated Press", practically verbatim those sections of the Bengal Criminal Law Amendment Act of 1925 which were omitted from the Act passed by the Bengal Legislative Council last month.

It will be remembered that the Act of 1925 was operative for a period of five years only and that, having regard to the comparative inactivity of revolutionaries in Bengal, the new Act did not include all the powers contained in the old one. His Excellency the Governor of Bengal, however, made it clear at the time that, if there were a recrudescence of revolutionary outrages, there would be no hesitation in obtaining the restoration of the previous powers. Unfortunately, the events at Chittagong show that the necessity has now arisen. It now appears that revolutionaries have revived their methods of terrorism.

The Ordinance may be taken as showing that the Government have no intention of allowing a free field to revolutionary violence and that they are determined to take all measures necessary to prevent it. The promptitude with which action has been taken should greatly assist in bringing the terrorist movement rapidly under control.

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## The Lahore Conspiracy Case Ordinance

The Lahore Conspiracy case Ordinance was gazetted on the 1st May 1930. Under this Ordinance the Lahore Conspiracy Case trial which had been proceeding before the Magistrate Mr Sri Krishan for nine months against 24 accused, including Bhagat Singh and Dutt, ceased and the accused were deemed to have been committed to Sessions, and the case would be heard by a Special Tribunal of three judges to be appointed by the Chief Justice of Lahore.

The Tribunal will have powers to take such measures as it may think necessary to secure orderly conduct of the trial and where any accused, by his voluntary act, has rendered himself incapable of appearing before the Tribunal or resists his production before it, or behaves in a persistently disorderly manner or in any way

wilfully conducts himself to the serious prejudice of the trial, then the Tribunal may at any stage dispense with the attendance of such accused for such period as it may think fit and proceed with the trial in his absence. Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with, such accused is to be deemed not to plead guilty. The order dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial. The proceedings of the Tribunal shall be final and there shall be no appeal.

#### Lord Irwin's Statement

Lord Irwin in his statement said: "On the 17th July 1929, enquiry in the proceedings known as the Lahore "Conspiracy" case commenced before a Magistrate who was for this purpose relieved of all duties. Accused in the case number 24 of whom I are still absconding. The offences alleged against the accused are both in their own nature and in their relation to public security of an unusually serious character. They include murder of Mr Saunders, Assistant Superintendent of Police, and Head Constable Chawan Singh in Lahore on the 17th December 1929, establishment of bomb factories at Lahore and Saharanpur, a conspiracy leading to the throwing of two bombs in the Legislative Assembly on the 8th April 1929 and various other revolutionary activities. For the purpose of establishing these charges which were concerned with many different places and with events occurring over a considerable period of time, the prosecution considered it would be necessary to produce about 600 witnesses.

"Two of the accused had resorted to hunger-strike before the commencement of the enquiry, and a number of others followed the same course shortly afterwards with the result that by the 26th July 1929 the case had to be adjourned owing to some of the accused being unfit to attend the Court. The case had to be successively adjourned on the same ground until the 24th September. It was then resumed, but there were numerous interruptions owing to the defiant and disorderly conduct by some of the accused or demonstrations by members of the public. On February 4th 1930, most of the accused again went on hunger strike and the case was on this account adjourned from the 8th February till 8th March.

"The enquiry has now been in progress for more than nine months and during that time it has been possible to examine about 230 witnesses only out of a probable total of 607. The spectacle of these proceedings obstructed by unprecedented delays and repeatedly disturbed by disorderly conduct and revolutionary demonstrations has tended to bring the administrations of justice into contempt, and it is impossible to count upon obtaining a conclusion by normal methods of procedure within any calculable period.

"After anxious consideration, I have come to the conclusion that neither the ends of justice nor the interests of the accused are served by allowing these proceedings to drag out to a length which cannot at present be foreseen. Public policy clearly demands that the grave charges against the accused should be thoroughly scrutinized and finally adjudicated upon with the least possible delay by a tribunal of indubitable impartiality and authority and that the preliminary proceedings which have already extended over nine months and the end of which is not yet in sight, should be terminated. It is also necessary to ensure that obstruction shall not further interrupt the course of justice.

"I have accordingly decided to avail myself of the authority conferred upon the Governor-General under Section 72 of the Government of India Act and to issue an Ordinance which has the effect of entrusting the trial of this to a Tribunal to be constituted by the Chief Justice of the High Court of Judicature at Lahore and consisting of three Judges of the High Court and to invest this Tribunal with power to deal with wilful obstruction. By these means, the accused will be assured of a trial before a court of the highest possible authority and it may be expected that a final and just decision will be reached with no unnecessary delay. I am convinced that the action which I have thought it right to take will best secure the achievement of the true ends of justice and re-establish respect for administration of the law".

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## The Press Ordinance

On the 27th April 1930, H E the Viceroy and Governor General promulgated an Ordinance to provide for the better control of the Press. The main provisions of the Ordinance are almost the same as those of the Press Act of 1910, but there are several important additions to cope with the present situation. The Ordinance provides for power whereby Presses which publish certain matters are liable to have their security forfeited if any security has been deposited. The Ordinance does not make it obligatory for every keeper of a press and publisher of a newspaper to give security. In the case of the existing presses and newspapers, no security need be deposited unless the Local Government requires this to be done. It may be assumed that Local Governments will require security only from the existing presses and newspapers which give direct encouragement to the revolutionary and civil disobedience movements.

### Lord Irwin's Statement

Lord Irwin in a statement said —

"The Indian Press Act, which was passed in 1910 with the object of preventing the dissemination of sedition and of incitement to violence, was repealed in 1922. It was suggested at the time that the Act was not wholly effective for these purposes, and that, in any case, the political situation and the new constitutional outlook rendered its retention undesirable. It was believed that the Press, if left to itself, would be able to overcome those malignant influences to which a part of it was subject on various occasions since 1922. The evil effects of writings in the Indian Press in promoting a spirit of revolution and stirring up extreme hatred of the Government, established by law in British India, have been brought prominently to notice by certain Local Governments.

"It has been recognised that the anticipations formed in 1922 have not been fulfilled, but that on the contrary, the tone of a certain section of the Press has been growing almost steadily worse with its immunity from effective control. The measure of the effectiveness of the Press Act has been shown very clearly by the remarkable accentuation, since its repeal, of those features, which it was intended to check. Prosecutions are from time to time instituted in the worst cases, but it has always been recognised that they provide only a partial remedy, and looked at broadly, are ineffective to control the ceaseless output of extreme seditious and revolutionary propaganda. Nevertheless, my Government, looking to the constitutional developments that are anticipated and confidently expecting that these would operate to remove many of the presses, have consistently refused to deal merely with the symptoms while they are engaged in a search for more far-reaching remedies. The developments, however, since the initiation of the Civil Disobedience Movement, have made it necessary to approach the problem no longer as one of general policy, but as one that constitutes a serious and dangerous emergency.

"The Civil Disobedience Movement, whatever may have been the professed object of those who launched it, is rapidly developing, as all reasonable men foresaw, into violent resistance to constituted authority. The riot at Calcutta and Karachi, the armed outbreak at Chittagong and the grave disturbances at Peshawar show clearly that the spirit of revolution fostered by the Civil Disobedience movement, is beginning to emerge in dangerous forms. Nothing, at the present moment, is operating so powerfully to promote that spirit as the writings in the Press, many inciting openly to violent and revolutionary action, others by persistent laudation of the Civil Disobedience movement encouraging a spirit of lawlessness throughout the country.

"In these circumstances, I have felt it my duty to promulgate an Ordinance which revives the powers of the Press Act of 1910 with certain amendments which the conditions of the present time appear to require. The measure is not designed to restrict the just liberties of the Press or to check the fair criticism of the administration. It is one of emergency, but the emergency is plain, and my responsibility for dealing with it is equally plain.

"I trust that at this time, all the most sober and stable elements in India, realising what must now clearly be seen to be the inevitable issue of this lawless movement,

will unite with me and my Government in resisting the forces of anarchy and leading the country back into the paths of peace and orderly progress"

## Text of the Press Ordinance

### Ordinance No. II of 1930

An Ordinance to provide for the better control of the press.—

Whereas an emergency has arisen which makes it necessary to provide for the better control of the Press—

Now therefore, in exercise of the power conferred by section 72 of the Government of India Act, the Governor General is pleased to make and promulgate the following ordinance—

- 1 (1) This ordinance may be called the Indian Press Ordinance 1930
- (2) It extends to the whole of British India inclusive of British Baluchistan, the Sonthal Parganas and the pargana of Spiti
- 2 In this ordinance unless there is anything repugnant in the subject or context
  - (a) "book" includes every volume, part or division of a volume, pamphlet and leaflet in any language, and every sheet of music, map, chart or plan separately printed or lithographed.
  - (b) "document" includes also any painting, drawing or photograph or other visible representation
  - (c) "High Court" means the highest Civil Court of Appeal for any local area except in the case of the province of Coorg where it means the High Court of Judicature at Madras.
  - (d) "Magistrate" means a District Magistrate or Chief Presidency Magistrate :
  - (e) "newspaper" means any periodical work containing public news or comments on public news and
  - (f) "printing-press" includes all engines, machinery, types, lithographic stones, implements, utensils and other plant or materials used for the purpose of printing.

### DEPOSIT OF SECURITY BY KEEPER

3 (1) Every person keeping a printing press who is required to make a declaration under section 4 of the Press and Registration of Books Act 1867 shall, at the time of making the same deposit with the Magistrate before whom the declaration is made, give security to such an amount, not being less than five hundred or more than two thousand rupees as the Magistrate may in each case think fit to require, in money or the equivalent thereof in securities of the Government of India :

Provided that the Magistrate may, if he thinks fit, for special reasons to be recorded by him, dispense with the deposit of any security.

(2) The Magistrate may at any time cancel an order dispensing with security and require security to be deposited and he may, at any time vary any order fixing the amount of security under this sub-section or under sub-section (1).

(3) Whenever it appears to the Local Government that any printing-press kept in any place in the territories under its administration in respect of which a declaration was made prior to the commencement of this Ordinance under section 4 of the Press and Registration of Books Act 1867 is used for any of the purposes described in section 4 sub-section (1), the Local Government may by notice in writing require the keeper of such press to deposit with the Magistrate within whose jurisdiction the press is situated security to such an amount not being less than five hundred or more than five thousand rupees as the Local Government may think fit to require in money or the equivalent thereof in securities of the Government of India.

### POWER TO DECLARE SECURITY FORFEITED

4. (1) Whenever it appears to the Local Government that any printing press in respect of which any security has been deposited as required by section 3 is used for the purpose of printing or publishing any news-paper, book or other document containing any words, signs or visible representations which are likely or may have a tendency directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise—

(a) to incite to murder or to any offence under the Exclusive Substances Act, 1908 or to any act of violence or

(b) to seduce any officer, soldier, sailor or airman in the Army, Navy or Air-force of His Majesty or any police officer from his allegiance or his duty or

(c) to bring into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India or any Indian Prince or Chief under the suzerainty of His Majesty or any class or section of His Majesty's subjects in British India or to excite disaffection towards His Majesty or the said Government or any such Prince or Chief or

(d) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security, or to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do or

(e) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order or to commit any offence or to refuse or defer payment of any land revenue, tax, rate, cess or other due or amount payable to Government or to any local authority or any rent of agricultural land or anything recoverable as arrears of or along with such rent or

(f) to induce a public servant or a servant of a local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office or

(g) to promote feelings of enmity or hatred between different classes of His Majesty's subjects or

(h) to prejudice the recruiting of persons to serve in any of His Majesty's forces or in any police force or to prejudice the training, discipline or administration of any such force,

The Local Government may by notice in writing to the keeper of such printing-press stating or describing the word, signs or visible representations which in its opinion are of the nature described above, declare the security deposited in respect of such press and all copies of such newspaper, book or other document wherever found in British India to be forfeited to His Majesty.

Explanation I—In clause (c) the expression "disaffection" includes disloyalty and all feeling of enmity.

Explanation II—Comments expressing disapproval of the measures of the Government or of any such Indian Prince or Chief as aforesaid with a view to obtain their alteration by lawful means or of the administrative or other action of the Government or of any such Indian Prince or Chief or of the administration of justice in British India without exciting or attempting to excite hatred, contempt or disaffection do not come within the scope of clause (c).

(2) After the expiry of ten days from the date of the issue of a notice under sub section (1) the declaration made in respect of such press under section 4 of the Press and Registration of Books Act 1867, shall be deemed to be annulled.

#### DEPOSIT OF FURTHER SECURITY

5. Whether the security given in respect of any press has been declared forfeited under section 4, every person making a fresh declaration in respect of such press under section 4 of the Press and Registration of Books Act, 1867, shall deposit with the Magistrate, before whom such declaration is made, security to such amount not being less than one thousand or more than ten thousand rupees as the Magistrate may think fit to require in money or the equivalent thereof in securities of the Government of India

6. If after such further security has been deposited the printing press is again used for the purpose of printing or publishing any newspaper, book or other document containing any words, signs or visible representations which in the opinion of the Local Government, are of the nature described in section 4, sub section (1), the Local Government may, by notice in writing to the keeper of such printing-press, stating or describing such words, signs or visible representations declare—

(a) the further security so deposited.

(b) the printing-press used for the purpose of printing or publishing such newspaper, book or other document or found in or upon the premises where such news-



paper, book or other document is, or the time of printing the matter complained of was printed, and

(c) all copies of such newspaper, book or other document wherever found in British India to be forfeited to His Majesty.

#### ISSUE OF SEARCH-WARRANT

7 (1) Where any printing-press is, or any copies of any newspaper, book or other document are, declared forfeited to His Majesty under this Ordinance, the local Government may direct a Magistrate to issue a warrant empowering any police officer not below the rank of a Sub-inspector, to seize and detain any property ordered to be forfeited and to enter upon and search for such property in any premises—

(i) where any such property may be or may be reasonably suspected to be, or

(ii) where any copy of such newspaper, book or other document is kept for sale, distribution, publication or public exhibition or reasonably suspected to be so kept.

(2) Every warrant issued under this section shall, so far as relates to a search, be executed in a manner provided for the execution of search warrants under the Code of Criminal Procedure, 1898.

#### DEPOSIT OF SECURITY BY PUBLISHER OF NEWSPAPER

8. (1) Every publisher of a newspaper who is required to make a declaration under section 5 of the Press and Registration of Books Act, 1867, shall, at the time of making the same, deposit with the Magistrate before whom the declaration is made security to such an amount, not being less than five hundred or more than two thousand rupees, as the Magistrate may in each case think fit to require, in money or the equivalent thereof, in securities of the Government of India :

Provided that the Magistrate may, if he thinks fit, for special reasons to be recorded by him, dispense with the deposit of any security

(2) The Magistrate may, at any time, cancel an order dispensing with any security and require security to be deposited, and he may, at any time, vary an order fixing the amount of security under this sub-section or under sub-section (1).

(3) Whenever it appears to the Local Government that a newspaper published within its territories, in respect of which a declaration was made by the publisher thereof prior to the commencement of this Ordinance under section 5 of the Press and Registration of Books Act, 1867, contains any words, signs or visible representation of the nature described in section 4, sub-section (1), the Local Government may, by notice in writing, require the publisher to deposit with the Magistrate, within whose jurisdiction the newspaper is published, security to such an amount, not being less than five hundred or more than five thousand rupees, as the Local Government may think fit to require, in money or the equivalent thereof in securities of the Government of India.

#### POWER TO DECLARE SECURITY FORFEITED IN CERTAIN CASES

9 (1) If any newspaper in respect of which any security has been deposited as required by Section 8 contains any words, signs or visible representations, which in the opinion of the Local Government, are of the nature described in section 4, sub-section (1) the Local Government may, by notice in writing to the publisher of such newspaper, stating or describing such words, signs or visible representations, declare such security and all copies of such newspaper, wherever found in British India, to be forfeited to His Majesty.

(2) After the expiry of ten days from the date of issue of a notice under sub-section (1) the declaration made by the publisher of such newspaper under Section 5 of the Press and Registration of Books Act, 1867, shall be deemed to be annulled.

#### DEPOSIT OF FURTHER SECURITY

10. Where security given in respect of any newspaper is declared forfeited, any person making a fresh declaration under section 5 of the Press and Registration of Books Act, 1867 as publisher of such newspaper, or any other newspaper which is the same in substance as the said newspaper, shall deposit with the Magistrate before whom the declaration is made security to such amount not being less than one thousand or more than ten thousand rupees, as the Magistrate may think fit to

require, in money or the equivalent thereof in securities of the Government of India.

11. If, after such further security has been deposited, the newspaper again contain any words, signs or visible representations which in the opinion of the Local Government, are of the nature described in section 4, sub-sections (1) the Local Government may, by notice in writing to the publisher of such newspaper, stating or describing such words, signs or visible representation declare—

(a) the further security so deposited and

(b) all copies of such newspaper wherever found in British India to be forfeited to His Majesty.

#### POWER TO ISSUE SEARCH WARRANTS

12 (1) Where any newspaper, book or other document wherever printed appears to the Local Government to contain any words, signs or visible representations of the nature described in section 4, sub-section (1), the Local Government may by notification in the local official Gazette stating the grounds of its opinion declare every copy of the issue of the newspaper, and every copy of such book or other document to be forfeited to His Majesty, and thereupon any police officer may seize the same wherever found in British India, and any Magistrate may by warrant authorise any police-officer not below the rank of Sub-Inspector to enter upon any search for the same in any premises where any copy of such issue or any such book or other document may be or may be reasonably suspected to be

(2) Every warrant issued under this section shall, so far as relates to a search, be executed in a manner provided for the execution of search warrants under the Code of Criminal Procedure 1898.

13 The Chief Customs officer or other officer authorized by the Local Government in this behalf may detain any package, brought whether by land sea or air, into British India which he suspects to contain any newspapers, books or other documents of the nature described in section 4, sub-section (1), and shall forthwith forward copies of any newspapers, books or other documents found therein to such officer as the Local Government may appoint in this behalf to be disposed of in such manner as the Local Government may direct.

#### PROHIBITION OF TRANSMISSION BY POST OF CERTAIN NEWSPAPERS

No newspaper printed and published in British India shall be transmitted by post unless the printer and publisher have made a declaration under Section 5 of the Press and Registration of Books Act, 1867, and the publisher has deposited security when so required under the Ordinance.

#### POWER TO DETAIN ARTICLES BEING TRANSMITTED BY POST

Any officer in charge of a post office or authorised by the Post-Master General in this behalf may detain any article other than a letter or parcel in course of transmission by post, which he expects to contain.—

(a) any newspaper, book or other document containing words, signs or visible representations of the nature described in section 4, sub-section (1), or

(b) any newspaper in respect of which the declaration required by section 5 of the Press and Registration of Books Act, 1867 has not been made or the security required by this Ordinance has not been deposited by the publisher thereof,

and shall deliver all such articles to such officer as the Local Government may appoint in this behalf to be disposed of in such manner as the Local Government may direct.

#### APPLICATION TO HIGH COURT TO SET ASIDE FORFEITURE ORDER

16 Any person having an interest in any property in respect of which an order of forfeiture has been made under Sections 4, 6, 9, 11 or 12 may, within two months from the date of such order, apply to the High Court for the local area in which such order was made to set aside such order on the ground that the newspaper, book or other document in respect of which the order was made did not contain any words, signs or visible representations of the nature described in section 4, sub-section (1)

## HEARING BY SPECIAL BENCH

17. Every such application shall be heard and determined by a Special Bench of the High Court composed of three judges or, where the High Court consists of less than three Judges, of all the Judges.

## ORDER OF SPECIAL BENCH SETTING ASIDE FORFEITURE

18. (1) If it appears to the Special Bench that the words, signs or visible representations contained in the newspaper, book or other document in respect of which the order in question was made were not of the nature described in section 4, sub-section (1) the Special Bench shall set aside the order of forfeiture.

Where there is a difference of opinion among the Judges forming the Special Bench, the decision shall be in accordance with the opinion of the majority (if any) of these Judges.

(3) Where there is no such majority which concurs in setting aside the order in question, such order shall stand.

## EVIDENCE TO PROVE NATURE OR TENDENCY OF NEWSPAPERS

On the hearing of any such application with reference to any newspaper, any copy of such newspaper published after the commencement of this ordinance may be given in evidence in aid of the proof of the nature or tendency of the words, signs or visible representations contained in such newspaper, in respect of which the order of forfeiture was made.

## PROCEDURE IN HIGH COURT

Every High Court shall, as soon as conveniently may be, frame rules to regulate the procedure in the case of such applications, the amount of the costs thereof and the execution of orders passed thereon, and until such rules are framed the practice of such court in proceedings other than suits and appeals shall apply, so far as may be practicable, to such applications.

## JURISDICTION BARRED

Every declaration of forfeiture purporting to be made under this Ordinance shall as against all persons, be conclusive evidence that the forfeiture therein referred to has taken place, and no proceeding purporting to be taken under this Ordinance shall be called in question by any court, except the High Court on such application as aforesaid, and no civil or criminal proceeding, except as provided by this Ordinance, shall be instituted against any person for anything done or in good faith intended to be done under this Ordinance.

Whoever keeps in this possession a press for the printing of books or papers without making a deposit under section 3 or section 5, when required so to do, shall on conviction by a Magistrate be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by section 4 of the Press and Registration of Books Act, 1867.

Whoever publishes any newspaper without making a deposit under section 8 or section 10, when required so to do, or publishes such newspaper knowing that such security has not been deposited, shall, on conviction by a Magistrate, be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by section 5 of the Press and Registration of Book Act, 1867.

Where a deposit is required from the keeper of a printing press under sub-section (1) or sub-section (3) of section 3 or under section 5, such press shall not be used for the printing or publishing of any newspaper, book or other document until deposit has been made.

Where any printing-press is used in contravention of sub-section (1), the Local Government may, by notice in writing to the keeper thereof, declare the press so used and any other printing-press found in or upon the premises where such press was so used, to be forfeited to His Majesty : and the provisions of section 7 shall apply.

## RETURN OF DEPOSITED SECURITY IN CERTAIN CASES

Where any person has deposited any security under this Ordinance and ceases to keep the press in respect of which such security was deposited, or being a publisher

makes a declaration under section 8 of the Press and Registration of Books Act, 1867, he may apply to the Magistrate within whose jurisdiction such press is situated for the return of the said security ; and thereupon such security shall, upon proof to the satisfaction of the Magistrate and subject to the provisions hereinbefore contained, be returned to such person

#### SERVICE OF NOTICES

25. Every notice under this Ordinance shall be sent to a Magistrate, who shall cause it to be served in the manner provided for the service of summonses under the Code of Criminal Procedure, 1898

#### OPERATION OF OTHER LAWS NOT BOYCOTTED

26. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Ordinance

27. So long as this Ordinance remains in force, all declarations required to be made under section 4, section 5, section 8 and section 8A of the Press and Registration of Books Act, 1867, shall be made in a Presidency town before the Chief Presidency Magistrate and elsewhere before the District Magistrate.

## Sholapur Martial Law Ordinance

### The Viceroy's Statement

On the 15th May 1930 His Excellency the Viceroy promulgated the Sholapur Martial Law Ordinance to regulate military administration.

His Excellency's statement giving reasons said : " Following on the very serious outbreaks of disorder that took place in the Sholapur city it became plain that the civil authorities were unable even with military aid to restore order and regain control. Accordingly at the request of the civil authorities the military undertook the duty of restoring law and order. The Government of Bombay have endorsed this action which they regard as essential and have moved my Government for the promulgation of the Ordinance to regulate the administration of Martial Law. Being satisfied that the continuance of martial law in Sholapur is for the time being necessary I have accordingly, under the powers conferred upon me by Section 72 of the Government of India Act, promulgated an Ordinance which empowers the military authorities to make regulations for administering Martial Law in Sholapur and provide for other matters connected therewith "

### Text of the Ordinance

The following is the text of the Ordinance :

Ordinance IV of 1930, an Ordinance to provide for the proclamation of Martial Law in the town of Sholapur and its vicinity to empower the military authorities to make regulations for administering it and to provide for other matters concerned therewith.

Whereas an emergency has arisen which makes it necessary to provide for the proclamation of Martial Law in the town of Sholapur and its vicinity to empower the Military authorities to make regulations and issue orders to provide for the public safety and the restoration and maintenance of order and to provide for other matters connected with the administration of Martial Law,

Now therefore the Governor-General in exercise of the powers referred by Section 72 of the Government of India Act, is pleased to make and promulgate the following Ordinance :—

1. This Ordinance may be called the Sholapur Martial Law Ordinance 1930.
2. It shall extend to the area comprised in the Municipal limits of the town of Sholapur in the Bombay Presidency.

(1) Provided that the Governor General-in-Council may by modification in the "Gazette of India" extend this Ordinance to any other area comprised in or to the whole of the District of Sholapur

(2) In any area to which this Ordinance extends, Martial Law shall be in force and shall be proclaimed by such means and in such manner as the Local Government may direct, and shall remain in force in any such area until withdrawn by the Governor General-in-Council by modification in the "Gazette of India" whereupon the provisions of this Ordinance shall cease to apply in such area

(3) Provided that no failure to comply with any direction of the Local Government as to the manner of proclamation in any area shall invalidate anything done in the administration of martial law in pursuance of this Ordinance in that area

Provided further that the validity of any sentences passed or of anything already done or suffered or any liability incurred or indemnity granted in accordance with the provisions of this Ordinance shall not be affected by reasons only of the fact that this Ordinance has ceased to be in force.

#### APPOINTMENTS OF MILITARY COMMANDERS

3 In any area in which Martial Law is, for the time being in force, the Commander-in-Chief in India or the General Officer Commanding-in-Chief shall appoint one or more military officers not being lower in rank than a Lieutenant-Colonel, to the Military Commanders to administer Martial Law (any such officer being hereinafter referred to in this Ordinance as "The Military Commander") and the Military Commander shall exercise his powers in respect of such area or such part thereof (hereinafter referred to as an "administration area") as the appointing authority may direct.

#### POWER TO MAKE REGULATIONS

4. (1) Subject to the provisions of this Ordinance the Military Commander shall have power to make regulations to provide for the public safety and the restoration and maintenance of order and as to the powers and duties of military officers and others in furtherance of that purpose.

(2) Such regulations may provide that any contravention thereof or of any order issued thereunder or supplementary thereto shall be punishable with any punishment authorised by any law in force in any part of British India, and any such contravention shall for the purposes of this Ordinance be deemed to be an offence against a regulation or an order as the case may be.

(3) The power to make regulations shall be subject to the following conditions, namely:

(I) In making any regulation, the Military Commander shall interfere with the ordinary avocations of life as little as may be consonant with the exigencies of the measures which he deems to be required to be taken for the purposes of Martial Law:

(II) Before making any regulation the Military Commander shall, if possible, consult the senior civil officer in direct charge of the Administration area in which he exercises power, but shall not be bound to follow his advice; and

(III) The penalty, if any, for the contravention of a regulation shall be specified therein.

(4) The Military Commander shall cause any regulation made by him to be published in such manner as he thinks best fitted to bring it to the notice of those affected, and shall transmit, through the normal channel, a copy of every regulation so made to the Commander-in-Chief in India.

5. (1) The Military Commander may, by an order in writing, empower any Magistrate or any military officer of seven years service not below the rank of a Captain to make Martial Law orders in any part of the administration area for the purpose of supplementing the regulations in that area and the punishment for the contravention of any such order shall be that specified in the regulation for the contravention of a Martial Law order provided that no order shall be made which is inconsistent with the regulations.

(2) Every Magistrate or officer making a Martial Law order under sub-section (1) shall cause the same to be published in such a manner as he thinks best fitted to bring it to the notice of those affected.

(3) A copy of every such order shall, as soon as may be, be submitted to the military Commander, who shall have power to add, to modify or rescind any such order in such a way as he thinks fit.

(4) Where a military commander has added to, modified or rescinded any order under sub-section (3), he shall forthwith communicate the fact to the Magistrate or officer who made the order and such Magistrate or officer shall thereupon cause to be published in the manner hereinbefore mentioned the order as so added to or modified or the fact that the order has been rescinded as the case may be.

#### COMMUNICATIONS WITH "ENEMY"

6 (1) No person shall (a) communicate to the enemy or (b) with the intention of communicating it to the enemy collect, publish or attempt to elicit any information with respect to the movements, numbers, description, condition or disposition of any of His Majesty's forces or any police force engaged in administering Martial Law or in restoring or maintaining order or with respect to the plans or conduct or the supposed plans or conduct of any military operations by any such forces, or with respect to any works or measures undertaken for or connected with or intended for the defence of any place.

(2) No person shall commit any act which is calculated to mislead or hamper the movements or impede the success of any operations of His Majesty's forces or any police force engaged in administering Martial Law or in restoring or maintaining order;

(3) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be deemed to have committed an offence under Section 128 of the Indian Penal Code,

(4) Any person who voluntarily assists or relieves with money, victuals or ammunition or knowingly harbours, protects or conceals any enemy, shall be punishable with rigorous imprisonment which may extend to ten years or with fine or with both.

Explanation.—For the purposes of this Section, the expression "enemy" means any mutineers, rebels or rioters against whom operations are being carried out by His Majesty's forces or the police for the purpose of restoring or maintaining order in any area in which martial law is in force by or under the provisions of this Ordinance.

7. All offences punishable under this Ordinance shall be dealt with by the ordinary criminal courts exercising jurisdiction in the administration area in the ordinary course of law.

8 Notwithstanding anything contained in sub-section (2) of Section 4, no court shall pass a sentence of whipping for any offence against a regulation or martial law order except, where the offender has, in the commission of the offence, used criminal force within the meaning of the Indian Penal Code.

9. The ordinary civil courts shall continue to exercise civil jurisdiction in the areas in which martial law is in force by or under this Ordinance provided that no civil court shall exercise any jurisdiction, by way of interference, with any regulation or martial law order made under this Ordinance.

10. Contraventions of any regulation or order, made or issued in any administration area on or after the 12th day of May and prior to the proclamation of Martial law in such area under section 2 by any officer acting in the exercise of military control for the purpose of providing for public safety or restoration or maintenance of order, shall be deemed to be offences against a regulation or martial law order in force in that area under this Ordinance, and shall be triable or punishable as if any sentence authorised by any such aforesaid regulation or order were a sentence authorised by a regulation under this Ordinance.

11. Where on, or after the 12th day of May 1930 prior to the proclamation of martial law under Section 2, in any administration area any sentence has been passed by any officer acting in the exercise of military control for the purpose of providing for the public safety or the restoration or maintenance of order in respect of any contravention of a regulation or order made or issued within the same period by any such officer, such sentence shall be deemed to be as valid as if it were a sentence passed under this offence against a regulation Ordinance in respect of an offence against a regulation or a martial law order in force in that area under this Ordinance.

12. No suit, protection or other legal proceeding whatsoever shall lie against any person for, or on account of, or in respect of any act, matter or thing ordered or

done or purporting to have been ordered or done (a) under this Ordinance or (b) in the exercise of military control in any area for the purpose of providing for the public safety or the restoration, or the maintenance of order on or after the 12th day of May, 1930, and prior to the proclamation of martial law in such area under Section 2.

Provided that nothing in this section shall prevent the institution of proceedings by or on behalf of the Government against any person in respect of any matter where such person has not acted in good faith and there is a reasonable belief that his action was not necessary for the aforementioned purposes.

13 Nothing in this Ordinance shall be construed as in derogation of any powers for the maintenance of law and order exercisable by the Governor-General-in-Council or any other authority.

#### Regulations Framed

The following are the ten regulations under the Martial Law —

No person shall assist or harbour any person who is or has been actively engaged in the present or recent disorders by giving him information or supplying him shelter, food, drink, money, clothes, arms, ammunition, stores, forage or means of conveyance or by assisting him in any way to evade apprehension. The maximum punishment for breach of the regulation is—five years' rigorous imprisonment and fine.

Every person who (a) sees or comes in contact with persons who are actively engaged in the present or recent disorders or (b) comes to knowledge of the whereabouts or of the gatherings or intended movements of such persons or (c) who knows or has reason to believe that any of his relatives or dependents has joined or are about to join such persons shall without delay give full information thereof to the nearest military or civil authorities. The maximum punishment is five years' rigorous imprisonment and fine.

No person shall, save under a permit issued by the Administrator of Martial Law or under his authority, convene or attend any meeting or procession of more than five persons except in the case of a meeting held *bona fide* for religious purposes in a recognised place of worship. Maximum punishment:—five years' rigorous imprisonment and fine.

No person shall (a) disobey or neglect or defy any order duly made in accordance with the Martial Law Ordinance 1930 (hereinafter called Ordinance) or (b) obstruct, impede or interfere in any manner with any officer or other person who is carrying out the orders of any authority administering the martial law or who is otherwise acting in execution of his duty under martial law or (c) makes any false statement, which he knows to be false in order to obtain the pass issued under martial law. Maximum punishment: Five years and fine.

No person shall destroy, deface or in any way tamper with any notice exhibited under the martial law, while such notice is in force. Maximum punishment: One year's rigorous imprisonment and fine.

Every person shall, when required to do so, give his correct name, address and produce the permit or pass to any military or civil officer acting under the authority of these regulations or to any soldier or policemen in uniform. Maximum punishment: Two years and fine.

The next regulation relates to the display of the Congress flag.

The remaining regulations run as follows. Every Administrator of martial law is hereby empowered to requisition such vehicles, property and labour as may be necessary for public service and authorise other civil and military officers to do the same in this area and every person to whom such requisition is addressed shall promptly comply with the same. Maximum punishment: Two years and fine.

No person other than a military officer in uniform or person in possession of the pass issued by me (Col. Paige, Commanding Officer) or under my authority is permitted to leave his or her house or compound where he or she may be between the hours 7 p. m. and sunrise. During these prohibited hours no person other than those excepted above is permitted to use streets or roads. Any person disobeying this order is liable to be arrested or if he evades or resists arrest is liable to be fired on. Persons requiring passes in cases of necessity such as, childbirth or serious illness, should apply to the nearest military authority. The maximum punishment is Three years and fine.

No person shall disseminate false intelligence which he knows to be false or spread, despatch, publish or transmit information calculated to create alarm or despondency. The maximum punishment is five years and fine.

# Unlawful Instigation Ordinance

On the 30th May 1930 H. E. the Governor-General by a "Gazette Extraordinary" promulgated two Ordinances. The first ordinance provides against instigation to refusal of payment of certain liabilities under the title of the Unlawful Instigation Ordinance of 1930. The statement reads as follows:—

"At the meeting of the Working Committee of the All-India Congress Committee held recently at Allahabad, a resolution was passed to the effect that the time had arrived for the inauguration of a no-tax campaign by non-payment of specified taxes in certain provinces. Previous to the passing of this resolution a movement for refusal of payment of land revenue had been started in certain districts of Guzerat in the Bombay Presidency and attempts had been made in several other provinces to persuade revenue and taxpayers to withhold payment of their liabilities. The decision, above referred to, clearly contemplates wide extension of the Civil Disobedience Movement in the shape of an appeal to the masses which must, if successful, involve grave reactions upon the administration and stability of the State. Taxes, against which the movement is at present aimed, are sources of provincial revenue and their non-payment would deprive local Government of a considerable part of the resources on which they depend for the efficient conduct of the reserved and transferred departments.

"Were the programme of the Congress to meet with any appreciable measure of success, its first result would be to deprive the people of the advantage of the beneficent activities in which local Governments are now engaged. It is clear, however, that no Government can tolerate non-payment of its dues and that local Governments confronted with a challenge of this nature must exercise to the full the powers of realisation with which they are by law invested. Consequences will inevitably be suffering and distress to those who respond to incitements of the Congress. Thus, both in the interests of the State and of the persons whom it is the design of the Congress to lead astray, it is necessary to stop in its initial stages a movement so fraught with dangerous consequences.

"While the law gives powers to proceed against persons who refuse to discharge their public liabilities, it does not include provisions by which effective action can be taken against those who for political purposes mislead and instigate others to their undoing.

"Having regard to these considerations and to the necessity of firm and prompt action against a movement, the object of which is to bring the administration to a standstill, I have deemed it necessary to promulgate an Ordinance by which local Governments may, as necessity is established, be invested with powers to deal effectively with persons who instigate others to withhold payment of certain lawful dues.

"I have thought it proper to include within the purview of the Ordinance certain liabilities (for instance, rent of agricultural land) which, although not included in dues which form the present announced object of attack by the Congress, have been mentioned by them from time to time as coming within the scope of the civil disobedience movement and would indeed, in many parts of the country, form the inevitable object of attack if any movement were initiated to withhold payment of revenue to the Government.

"The powers taken under the Ordinance will not be used by the Local Governments to modify their revenue policy or to attenuate any concessions by way of suspensions, remissions or otherwise, which it is their practice to grant, nor will the ordinance be indirectly to give assistance to the landholders in the normal process of realisation of rent or to facilitate enhancement of rent. It will be confined strictly to its declared purpose, namely, to prevent the instigation in pursuance of a political movement which is intended to disorganise the administration and which must, if successful, damage the whole economic structure of the society. It shall have the support of all those who desire to resist a plain threat to orderly progress and stable government.



**Text of the Ordinance**

The following is the text of the Ordinance —

Whereas an emergency has arisen which makes it necessary to provide against the instigation to the illegal refusal of the payment of certain liabilities now, therefore in exercise of the powers conferred by Section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance

I. (1) This Ordinance may be called the Unlawful Instigation Ordinance 1930

(2) It extends to the whole of British India including British Baluchistan, and the Southal Parganas.

II (1) The Governor-General-in-Council may by notification in the "Gazette of India," empower any local Government to make declarations under sub-sections (2) and (3).

(2) A local Government empowered in this behalf may, by notification in the local official "Gazette" declare that any part of the province or the whole province shall be a notified area for the purposes of this Ordinance.

(3) Such local Government may further, by the same or by a subsequent notification, declare that in such notified area, land revenue or any sum recoverable as arrears of land revenue, or any tax, rate, cess or other due or amount payable to the Government or to any local authority or the rent of the agricultural land or anything recoverable as arrears of or along with such rent, shall be a notified liability.

III. Whoever, by words, either spoken or written, or by signs, or by visible representations, or otherwise, instigates expressly, or by implication any person or class of persons, not to pay, or to defer the payment of any notified liability, and whoever does any act with intent, or knowing, to be likely, that any words, signs or visible representations, containing such instigation shall thereby be communicated, directly or indirectly, to any person or class of persons in a notified area in any manner whatsoever, shall be punishable with fine or with both

IV (a) Notwithstanding anything contained in the Code of Criminal Procedure 1898, an offence punishable under this Ordinance shall be cognisable and non-bailable.

No magistrate shall take cognisance of any offence punishable under this Ordinance except upon a report in writing of the facts which constitute such an offence made by a police officer not below the rank of a Sub-Inspector.

V (1) Where (a) any newspaper or book as defined in the Press and Registration of Books Act 1867, or (b) any document, wherever made, appears to the local Government to contain any matter the publication of which is punishable under Section 3, the local Government may, by notification in the local official "Gazette," stating the grounds of its opinion, declare every copy of the issue of the newspaper containing such matter and every copy of such book or other document to be forfeited to His Majesty, and thereupon any police officer may seize the same wherever found in British India, and any Magistrate may, by warrant, authorise any police officer not below the rank of a Sub-Inspector, to enter upon and seize any copy of such issue or any such book or other document as may or may be reasonably suspected to contain matter punishable under section 3.

(2) In sub-section (1) "document" includes also any printing, drawing or photograph or other visible representation

(3) An order of forfeiture under sub-section (1), shall be deemed to be an order of forfeiture under Section 99-A of the Code of Criminal Procedure 1898, and Sections 99-B, 99-C, 99-D, 99-E, 99-F and 99-G, shall apply thereto, with such modifications as may be required to adapt them to the provisions of this Ordinance.

**The Anti-Intimidation Ordinance**

The sixth Ordinance issued by the Governor-General on the 30th May 1930 provides against certain forms of intimidation under the title of "Prevention of Intimidation Ordinance of 1930." The statement runs as follows :—

"From the beginning of the civil disobedience movement it has been part of the programme of the Congress to use for various purposes the methods of picketing in order to make their will prevail. At the recent meeting of the Working Committee of the All-India Congress Committee, held at Allahabad, resolutions were passed, which urged the adoption of such methods on more intensive lines. Information received by my Government makes it plain that activities of this kind are now being

pursued in various places in such a manner as gravely to interfere with the liberty of individuals in many directions

The most common object with which picketing and other kinds of molestation and intimidation are being employed is for the purpose of preventing the sale of foreign goods or liquor. It is no part of the duty of my Government, and certainly it is not their desire, to take steps against any legitimate movements directed to these ends. They are anxious to see the promotion of indigenous Indian industries and it is perfectly legitimate for any person in advocacy of this object to urge the use of Indian goods to the utmost extent of which Indian industry is capable. Nor have I anything but respect for those who preach the cause of temperance. But, what is not legitimate is for those who desire these ends, proper as they are in themselves, to pursue them by means amounting in effect to intimidation of individuals and to endeavour to force their views on others, not by argument but by the coercive effect of fear. When resort is had to such methods, it becomes necessary for the Government to protect the natural freedom of action of those who may wish to sell and those who wish to buy.

Unscrupulous effects are also being made by the organisers of the Civil Disobedience movement to bring pressure to bear on Government servants to resign their posts or fail in their duty. The methods employed include not only various forms of molestations and intimidation but also definite attempts to use the weapon of boycott against Government servants. Thus it is found that in different parts of the country not only are residences of Government servants picketed and they themselves and their relatives subjected to threats of injury to life or property, but organised attempts are made to refuse them necessary supplies, use of transport and tenancy of houses. These methods have reached their maximum intensity in Guzerat but they are also being practised in other parts of the country.

In normal circumstances when intimidation is a comparatively rare offence, ordinary law suffices. But when, as now, intimidation in its various forms is carefully organised and constitutes an important part of the programme of a movement designed to paralyse Government and to coerce the public, it is necessary to deal rapidly and effectively with a menace to public liberty. I have accordingly thought it essential to promulgate an ordinance which is designed to protect the public in general against molestation and intimidation to check the boycott of Government servants.

These powers will not be used to impede or interfere with the legitimate promotion of any economic movement which has for its objects the furtherance of the indigenous enterprise, nor will they be exercised in regard to any genuine labour dispute unconnected with political objects. The ordinance is directed only against certain illegitimate activities which are being organised by the leaders of the Civil Disobedience movement. It will be withdrawn as soon as those activities cease. The Ordinance, moreover, has been so drafted as to be applied only where powers are actually required. It will not be applied to any province in which the Local Government has not satisfied my Government that activities of the Civil Disobedience movement have rendered its application necessary. Further, within a province, powers to deal with molestation or with boycott of Government servants will come into force only in those areas in which the local Government considers that the situation necessitates their application, but where the situation so demands, I have no doubt that it is my duty to empower the local Government to give protection to those who merely desire to carry on their lawful business and pursuits without let or hindrance and to safeguard public servants as far as may be against the attempt to deprive them by means of boycott of the ordinary requirements of daily life.

#### Text of the Ordinance

The following is the text of the Ordinance :—

Whereas an emergency has arisen which makes it necessary to provide against certain forms of intimidation ;

Now, therefore, in exercise of the powers conferred by Section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance.

1. This Ordinance may be called the Prevention of Intimidation Ordinance 1930.

#### Chapter I.—Molestation

This chapter shall have effect in specified areas in any province or throughout

a province as the Local Government may be notification in the local official gazette direct.

(2) For the purposes of this chapter, a person is said to molest another person who, with a view to cause such other person to abstain from doing or to do any act which such other person has a right to do or to abstain from doing, obstructs or uses violence to or intimidates such other person or anyone in whom such a person is interested or loiters at or near a house where such a person, or anyone in whom such a person is interested, resides or works or carries on business or happens to be, or persistently follows him from place to place or interferes with any property, owned or used by him, or deprives him of or hinders him in the use thereof.

4 Whoever molests or abets the molestation of any person, shall be punishable with imprisonment which may extend to 6 months or with fine or with both.

5 Notwithstanding anything contained in the Code of Criminal Procedure 1898, an offence punishable under Section 4 shall be cognisable and non-bailable and no magistrate shall take cognisance of any such offence except upon a report in writing of the facts which constitute such an offence made by a police officer.

### Chapter II —Boycotting.

6 This chapter shall have effect in specified areas in a province or throughout a province as the Local Government may, by notification in the local official Gazette, direct.

7 For the purposes of this chapter, (a) A person is said to 'boycott' another person who refuses to deal or do business with or to supply goods to, or to let a house or land to, or to render any customary service to such person, or any person in whom such a person is interested or refuses to do so on the terms on which such things would be done in the ordinary course, or abstains from such professional or business relations as he would ordinarily maintain with such a person, and

(b) A "public servant" includes a public servant as defined in Section 21 of the Indian Penal Code and a servant of a local authority and a person belonging to any class of persons which the Local Government may by notification in the local official Gazette declare to be public servants for the purposes of this chapter.

8. Whoever boycotts or abets the boycotting of a public servant, or threatens a public servant with boycotting shall be punishable with imprisonment which may extend to six months or with fine or with both ;

Provided that no person shall be convicted under this section if the court is satisfied that his acts were not intended to prejudice the public servant boycotted or proposed or threatened to be boycotted in the discharge of the duties of his office, or to cause such public servant to terminate or withhold his services in the discharge of such duties or to commit a breach of discipline.

9 (1). An offence punishable under Section 8 shall be non-cognisable, and notwithstanding anything contained in the second schedule to the Code of Criminal Procedure, 1898, a case relating to such an offence shall, for the purpose of Section 204 of said Code, be deemed to be one in which a warrant should issue in the first instance.

(2) Where information is given to the officer in-charge of a police station of the commission within the limits of such station, of an offence punishable under Section 8, he shall deal with in the manner provided in Section 154 of the said Code, and notwithstanding anything contained in sub-section (1) of Section 155 of the said Code he shall investigate the case as if he had received an order from a competent magistrate under sub-section (2) of that section.

### Chapter III.—Supplemental.

10. No Magistrate other than a presidency Magistrate or a Magistrate of the first class, shall take cognisance of or try any offence under the Ordinance.

11. The Local Government may, by notification in the local official Gazette, declare that any offence punishable under Section 188 of the Indian Penal Code or any offence of criminal intimidation when committed in any area specified in the notification shall notwithstanding anything contained in the Code of Criminal Procedure 1898, be cognisable and non-bailable, and thereupon the said Code shall, while such notification remains in force, be deemed to be amended accordingly.

# Riots and Disturbances

## The Peshawar Riot

The riot at Peshawar commenced on the *23rd April 1930* and continued for the next few days. The following official communique announcing an official enquiry to be held shortly was issued by the Government of India on the 5th May. A non-official enquiry under Mr. V. J. Patel was also held and a report was issued but it was put under a ban by the Government of India.

"As persistent and deliberate attempts are being made by the Congress organisations, in pursuance of their own ends, gravely to misrepresent the recent events at Peshawar, the Government of India desire without prejudice to the full enquiry which will shortly be held under the orders of the Chief Commissioner, to place before the public the facts as reported to them.

"For seven months past, agitators belonging to the Congress and Naujawan Bharat Sabha have been attempting to produce unrest in the North-West Frontier Province, partly through preparations for a civil disobedience movement and partly by exploitation of the local grievances. Regardless of the fact that the Congress Party, as a whole, were among the most enthusiastic supporters of the Sarda Act in the Legislative Assembly, Congress workers in the North-West Frontier Province, in their attempts to sow dissension between the Government and the people, have done their utmost to misrepresent its objects and provisions, and to hold it up as an oppressive law passed by the Government, although the social evil which the Act is designed to remove, namely, the consummation of marriages before puberty, is believed to be non-existent in the North-West Frontier Province. These agitators have not hesitated to instil into the minds of the population of that province, the belief that the Act is designed to offend their religious beliefs and their social customs.

"Side by side with the appeal to religious passions, the members of the Naujawan Bharat Sabha have attempted to disseminate Communist doctrines in the villages of the Peshawar district. In order to protect the people of the Province from the consequences of an agitation which was beginning to produce dangerous effects, the local Government decided to arrest, on April 23rd, certain leaders of the Congress and Youth movements who composed the local so called "War Council", and who were directing the Civil Disobedience movement. Nine of the 11 persons against whom a warrant had been issued were arrested, without disorder, but the other two are said to have been forcibly rescued by a mob from police custody. The matter was at once reported to the Deputy Commissioner who proceeded in his own car towards the Kabul Gate of the City, being accompanied by three armoured cars. On the way, he was informed that the two prisoners had given themselves up, and he thereupon ordered the armoured cars to remain behind and proceeded, without escort, towards the Kabul Gate. He was met by the Assistant Supdt. of Police, who reported that a very violent crowd was near the Kabul Gate and that the police were unable to deal with the situation. The Assistant Superintendent of Police had himself been injured by a brickbat thrown by one of the crowd.

"The Deputy Commissioner then called up the armoured cars, and proceeded in his own car to within about 200 yards of the Kabul Gate, where the reserve police were drawn up faced by a crowd in a state of high excitement. One of the leaders was armed with an axe and many members of the crowd were armed with bricks. The Deputy Commissioner entered the leading armoured car, and passed through the gate the crowd giving way to the car, but pelting it with bricks and stones. As it passed the inside gate an Assistant Superintendent of Police was being attacked with brickbats. The armoured car in which the Deputy Commissioner was seated continued at a slow pace along the bazaar and then, having turned, went back towards the Kabul Gate. There the second armoured car was at a stand still with a despatch rider under the wheels. The man, it is alleged, had been knocked off his bicycle by a blow on the head dealt by a member of the crowd, and the armoured car had then

run over him. The same car, in the confusion, had also run over one or perhaps two persons in the crowd, whose excitement had been increased by the accident.

"The Deputy Commissioner got out of the armoured car in order to confer with the police officers and persuade the crowd to disperse. When he was attempting to argue with the rioters, he was assaulted with stones and brick-bats. In the meantime, a military officer belonging to an armoured car was attacked by a rioter who tried to wrest his pistol from him. At the same time, the mob pressed forward and forced the police up the steps of the police station. The Deputy Commissioner and the Superintendent of Police still made endeavours to appease the crowd and persuade them to disperse peacefully. But the Deputy Commissioner was knocked senseless by a brick thrown by one of the crowd, and was carried inside the police station where police officers and men had also to retire.

"Meanwhile, the crowd attacked the armoured cars and set fire to one of them, thus forcing the crew to descend. One member of the crowd who attempted to take refuge in the second car was attacked by a rioter with a crowbar, and escaped only by firing his revolver. The second armoured car was under heavy attack by rioters armed with hatchets, crowbars and stones, and it was at this stage that the Deputy Commissioner who had recovered consciousness authorised the crew to fire. Fire was opened in short bursts, and the mob immediately fled.

"The foregoing represents the account of the initial incidents of the riot received up-to-date, but the whole matter will come under further examination in the course of the enquiry which is to be held.

"Subsequently, sporadic rioting occurred during the day at different points in the city, and all attempts failed to pacify the mob. Reports show that, throughout the day, firing by the troops and the police was withheld until the last possible moment, and on several occasions a hand to hand struggle was in progress between them and the crowd before the order was given to fire. Fire was restricted to the minimum, and was well controlled, the number of shots fired in all being 109 only.

"In view of the propagation of deliberate mis-statements by interested persons in regard to the origin and nature of the riot the Government of India desire to invite particular attention to certain features. It is freely alleged that firing was unprovoked and excessive. The facts detailed above are sufficient to refute this charge. The Deputy Commissioner, in his desire to avoid the necessity of firing, risked his life in endeavouring to persuade a hostile and excited mob to disperse. The first shot was fired from a revolver by a member of the crew of an armoured car purely in self-defence when he was the victim of a murderous attack. The order for firing by the armoured car was given only after a British soldier had been killed. Another armoured car had been set on fire, and the crew were being attacked. Throughout the rioting, according to the reports received, utmost forbearance was shown by the military and the police.

"The death-roll among the rioters is believed to be about 20. In addition, some 30 wounded received medical treatment in the Government and Mission hospitals. In addition there are doubtless some cases of injured who were unwilling to go to hospitals for treatment although an assurance was given by the Chief Commissioner that those admitted to hospital would not be prosecuted for participation in the riot and allowing for these, the probable number is about 60. Neither the Government of India nor the local Government has made any attempt to conceal the number of casualties and the above statement represents the best estimate they are able to form on the information available. Malicious reports have been spread that the number of casualties was greatly in excess of the official estimate, and that a large number of rioters were deliberately shot down in cold blood. There is no truth whatever in these rumours and the public should give no credence to them.

"On the same day as the riots occurred at Peshawar, namely, the 23rd of April, attempts were made to create disorder at Charsadda in connection with the arrest of certain local agitators. A considerable crowd collected outside the lock-up with intention of rescuing the arrested persons. It was however dispersed without resort to firing. On the next day a further demonstration was made at Charsadda which was again dispersed without firing. That evening, the leaders were removed from Charsadda jail.

"Subsequent to the events of the 23rd no firing has taken place at Peshawar.

The members of the Congress and Naujawan Bharat Sabha organisations have however carried on active revolutionary propaganda in the city and in the villages of the Peshawar District and have made attempts to influence some of the Trans-Border tribes against the British Government. A feature of their campaign is believed to have been the propagation of communist doctrines, and the display of communist standards and symbols. Deliberate attempts to arouse feeling against the Government on account of the Sarda Act have continued, and resort has been made to most unscrupulous methods in this connection. On the 29th of April and subsequent days the Peshawar Congress Committee issued posters and bulletins stating that they were in correspondence with the Haji of Taungzu who on their invitation was raising Lashkar with the intention of entering Peshawar District. The Haji has advanced with a small force towards the border of the Peshawar District and he has been attempting to persuade the various tribes to join him.

"His overtures however have met with no response. It is thus apparent that the Congress and the Naujawan Bharat Sabha organisations have been engaged in fomenting open rebellion against the Government as by law established and the Local Government, with the full approval of the Government of India, has declared them to be unlawful associations under the provisions of the Criminal law Amendment Act of 1908.

"On the 4th May, the necessary measures were taken to carry out the arrest of certain persons inside the Peshawar city. In the early hours of the morning, the city was occupied by troops in strength, and with this military support, the police proceeded to take possession of and search the head quarters offices of the two associations. They also arrested seven leading agitators, and ten persons of notoriously bad character who had acted since the 23rd as leaders of the city gangs. No resistance was offered to the arrests, and there was little excitement in the city. In some quarters the shops were shut, but in others they remained open all day, and business was carried on as usual. The Affridi Khassadars co-operated with the police in the maintenance of order, and those tribesmen who were in the city on their own business took little interest in the proceedings. The Kurram Mehta have given valuable assistance to the authorities. Not a single shot was fired on the 4th, and up to the time of the issue of this communique the Government has received no information of any untoward incident.

"The Military are acting in support of the civil authorities who remain in charge of the situation, but the presence of the troops enable the police to carry out their function which for some days they had been unable to fully perform. As soon as the civil authorities no longer require military support, the troops will be withdrawn from the city. The Congress and Naujawan Bharat Sabha organisations have shown, in their anxiety to injure the Government, a complete disregard of the dangers to the rest of India arising from their vain and criminal attempts to stir up trouble on the Frontier and to embroil the Mahomedans in a movement opposed to their true interests. The Local Government, with the full support of the Government of India, are taking all necessary measures to prevent the intrigues of these evil-doers endangering the peace of the Province and the Government are confident that, with the collapse of this revolutionary conspiracy, the friendly relations between them and the people will continue unimpaired."

## The Madras Disturbances

The Government of Madras issued, on the 18th May 1930, the following communique to the Press on the disturbances in Madras :—

"In view of the series of disorders, which took place in the Madras City between 22nd and 27th April (both dates inclusive) and of the widely-spread criticisms on the conduct of the City Police during that period, the Government have obtained a special and detailed report from the Commissioner. They have further had the

advantage of a discussion with a number of gentlemen of standing, who were in Madras at the time and who have been received at special interviews by His Excellency the Governor and have expressed to him their considered views. Government have also perused the published resolutions of various public bodies and associations and the verdict of the jury at the inquest, held on the 28th instant. The Commissioner's report, with its two enclosures published as an annexe to this order, gives fully the sequence of events. Government, after full consideration of the report and the other representations that have been put forward, must hold that the conduct of all ranks of the force throughout, is not only not blameworthy but in the highest degree commendable. The local situation arising on the one hand from the general unrest, created by the Civil Disobedience movement and on the other from the continued closure of Choolai Mills, was full of dangerous possibilities. Until the forenoon of 22nd April, however, nothing beyond minor conflicts took place between police patrols and those who sought by violent methods to induce observance of hartal after 11 a. m. on that day. Two serious collisions occurred. The first was between the police and the Choolai Mill hand procession, which formed itself into a riotous mob of not less than 1500 strong, and probably far larger, whose declared intention was to compel closure of every shop in the city.

"The second collision occurred a little later, when the disorderly elements formed from persons, who had attended Mr. Prakasam's meeting and had disregarded his injunction to disperse quietly homewards, joined the forces with the members of mill-hand mob, who had rallied in both cases. The Police were attacked and forced to disperse the crowd by lathi charges. In the evening of the same day, what might have been a very serious riot was averted by the admirable restraint displayed by the men of the Middlesex Regiment, who, while returning from firing practice on the beach range, were followed and stoned by a number of young hooligans, detached from a largely-attended meeting, which was being held hard by, to protest against the conviction of Satyagrahi leaders on the previous day. His Excellency the Governor in Council desires to place on record his cordial appreciation of the conduct of the military under grave provocation on this occasion.

#### EVENTS OF FRIDAY, 25TH APRIL

"Learning that a further public meeting was contemplated for the following evening, the Commissioner of Police very properly issued an order under Section 41 of the Police Act prohibiting all meetings at the High Court Beach between 4 and 10 p. m. in view of the danger to the peace which such gatherings involved and duly renewed it from day to day until the 27th. This order was not disobeyed but, as previously announced, a body of Satyagrahis, supported by Congress volunteers, about one hundred in all, including two ladies, attempted to proceed to the same Beach for the manufacture of salt on the 25th morning. On their march they attracted a considerable number of followers from the street and the number of this unlawful assembly, when it was met by the Commissioner of Police and his officers with twenty men and two sowars, are estimated at about three hundred. The majority obeyed the police warning to disperse, but the Satyagrahis and the attendant volunteers met the order with defiance and, after the ladies had complied with the Commissioner's request to stand aside, were dispersed by a lathi charge delivered by ten men acting under the orders of the Deputy Commissioner. The Government are satisfied that, in dealing with this emergency, excessive force was not used by the police and they cannot too strongly deprecate the wantonly exaggerated statements as to the strength of the police force engaged and the seriousness of the injuries inflicted upon Satyagrahis to which so much currency has been given.

#### EVENTS OF SUNDAY THE 27TH APRIL

"The final and by far the most serious disturbance was that which occurred on the evening of the 27th April. The report of the Commissioner of Police gives full details of the affair in all its phases and the Government have only a few general observations to make. It is evident that, at the outset, the position was rendered hazardous by the sudden and unanticipated advent of Choolai strikers disappointed and exasperated at the eleventh hour by the refusal of the management to reopen the mill on the 28th. The presence, a short distance away on the sands, of a large public gathering, attracted to what had been widely advertised as an "all parties"

meeting, was an added complication and the nature of the ground making it an easy matter to surround the small police force rendered the task of the latter highly difficult. It is, in the opinion of the Government, a convincing testimony to the discipline, courage and constance of all ranks that the mob, during this first phase of the riot, was dispersed and driven from the beach after a prolonged conflict lasting nearly an hour by a force of about two-hundred men on foot and seventeen sowars without recourse to firing. The task of the police might have been easier if they had opened fire and the conduct of a section of the mob would have fully justified this course. But, as the Commissioner of Police observes, increasing darkness and wide distribution of the mob rendered it impossible to bring the situation under control by gunfire without much bloodshed and the Government must hold that he rightly refrained.

"The second phase of the riot arose owing to a large and more desperate section of the mob, about two thousand in number, withdrawing from the Marina and the beach and entrance to the Pycroft's Road with detachments in open spaces on either side which enabled them in addition to a frontal attack to subject the police to a heavy crossfire of missiles. It is evident that to dislodge them and force them back firing was inevitable, but it was throughout resorted to with the utmost reluctance and only after due warning had been given and was so judiciously controlled by the Commissioner himself that, from the first to the last, only seven shots were fired. As too often happens on such occasion some of the victims were persons who were probably not active combatants and His Excellency the Governor in Council desires to record his regret at the tragic death in particular of Mr. E. K. Govindaswami Mudaliar whose presence on the scene appears to have been accidental.

"His Excellency the Governor in Council is convinced by the examination which he has made of the matter, and in this view he is confident that every fair-minded person will agree with him, that throughout these disturbances the Commissioner and his officers displayed the utmost coolness, gallantry and restraint and were admirably seconded by the staunchness and discipline of their subordinates. Both on the 22nd and again on the 27th, any hesitation or weakness on their part would, having regard to the magnitude and temper of the mob opposed to them, have been fraught with the most dangerous consequences to the lives and property of the citizens of Madras. Mr. Cunningham and all ranks of the Madras City Police are heartily to be congratulated upon the successful issue of their unflinching devotion to duty in circumstances of unusual stress."

## The Sholapur Disturbances

The following communique on the disturbances at Sholapur on the 8th May, 1930 was issued by the Director of Information, Bombay :

"In view of the many stories which have been circulated regarding the recent disturbances at Sholapur, Government desire to place before the public the following account of the events there which is based on all the information now available and is believed to be substantially accurate.

"The first sign of trouble was noticed when the mill-hands of the Sholapur Spinning and Weaving Mill left their mill on the morning of May 7, in pursuance of instructions which they had received from outside sources that there should be a second day's hartal in consequence of Mr. Gandhi's arrest.

"There had been an entirely peaceful hartal on May 6, and on the evening of May 6 it was understood that the mills would work as usual on May 7. These men proceeded to bring out the men of all the other mills in Sholapur. The greater number of the workers remained quiet but some marched on the city, and as they went were joined by agitators and roughs from the city.

"On their way the mob stoned a railway train and set fire to a Municipal Chauki. As they went on, stone throwing increased. The District Superintendent of Police and other officers received minor injuries and two police constables were sent to



hospital with wounds. By 10.30 a.m. a section of the crowd, which was by this time estimated to number 10,000, though accurate figures cannot be obtained, had begun the burning of liquor shops.

"The District Magistrate thereupon asked the Commandant of the local detachment of the G. I. P. Railway Battalion A. F. I. to embody such men as were available and he himself accompanied by the District Superintendent of Police with police motor lorries, went to the city where he found that the mob had broken into all the liquor and toddy shops except one in Sholapur city proper, had destroyed the liquor and were engaged in burning toddy barrels on the road. This mob dispersed after some slight use of force by the police.

"By the afternoon it was reported that all was quiet and the District Magistrate was assured by influential persons that no processions would be held on the next day and that the mills would be allowed to work. The police were kept standing by.

"Events proved that the assurances given to the District Magistrate were worthless. At about 10.30 in the morning of May 8, the District Superintendent of Police was informed that some 900 men with ropes and axes had set out to destroy toddy trees. The District Magistrate and the District Superintendent of Police at once took out two lorries of armed police—25 in number—and finding these crowd cutting down and burning toddy trees arrested half a dozen of the men and dispersed the remainder.

"When the party began to return, however, they found the road blocked by a large organised crowd, including one lorry full of men armed with lathis, approaching from the city. This crowd at once began to stone the police very heavily and endeavoured to hold up the lorries by blocking the road with stones and large water pipes which had been brought there in connection with certain repair in progress.

"The District Magistrate then repeatedly warned the crowd that unless way was made he would be compelled to order firing. His warnings had no effect and two rounds of rifle fire were ordered.

"This temporarily cleared the road but the stoning still continued from the fields. One wounded man was here picked up and placed in a police lorry. A leader of the mob then came forward and said that if the arrested men were released he would prevail upon the crowd to disperse. His request was agreed to, but compliance had no effect whatsoever and as the mob, which by this time had increased to about 10,000 continued to shower stones on the police and to advance with obvious intention of attacking the lorries, further firing was ordered. This number of rounds fired on this occasion cannot be exactly stated, but may have been as many as 40. The police were then able to enter the lorries and return after having been severely stoned for one and a half hours during which time they had been able to cover only about a mile of road. The District Magistrate, the District Superintendent of Police and almost every member of the party were badly hurt.

"Soon after their return the District Magistrate and District Superintendent of Police were informed that the police were being attacked in the city. They again set out with two lorry loads of police and accompanied by the Commandant of the A. F. I. contingent and a Lewis Gun detachment. There were no signs of the mob but they found the partially burnt bodies of two policemen in front of a gutted police station and the district courts on fire.

"In view of the seriousness of the position, the District Magistrate decided to collect the non-combatants belonging to the official, mill and railway communities at the railway station. Three hundred women and children were thus gathered together and evacuated that evening to Poona. Since the previous day many families belonging to the several mercantile communities had been streaming out of Sholapur by road or rail.

"In the meantime the police in the city were concentrated in the city police station and the city was patrolled by armed police in lorries. One of these lorries was attacked on several occasions and forced to fire in self-defence. The result of this patrolling was to prevent the mob from extending its activities towards the camp and railway station. At dusk all police were removed from the city police station to avoid the possibility of a Chauri Chaura or Malegaon incident and except for a guard at police head-quarters were concentrated with the A. F. I. contingent at the railway station.

"Troops arrived from Poona at 11 p.m. and a combined military and police patrol was immediately sent through the city which was reported quiet.

"The next morning (9th) a similar patrol was sent out at 7 a m and again all was reported quiet. At 11 a m a picket was established in the centre of the city and combined patrols of military and police sent out in motor lorries. Up to that time the known casualties were 2 policemen murdered, 8 reported missing, 5 rioters killed and 26 attended to at the civil and two private hospitals. Motor lorry patrols continued their rounds of the city throughout the day.

"By this time the District Magistrate had promulgated an order under section 144 of the Criminal Procedure Code forbidding the carrying of lathis, the holding of processions and meetings and the assembly of more than 5 persons. Later during the day the District Magistrate after consultation with local influential Mahomedan gentlemen, modified his order under section 144 Criminal Procedure Code in order to allow the Mahomedan community to attend their Idgahs for prayers.

"Throughout the day on May 10 the city was patrolled and the Id prayers passed off quietly but towards the evening it was seen that the Order under Section 144 Criminal Procedure Code was being disregarded. A military patrol of two lorries, one of which had broken down, was surrounded by the crowd of several thousand people who refused to disperse when ordered to do so by a Magistrate. The lorry was extricated by towing but it was clear that the number of police and troops at the disposal of the authorities was inadequate to control the situation in the city.

"On May 11, following the arrival of another company of the 2nd 4th Bombay Grenadiers with the Headquarters of the Battalion, it was decided to endeavour to regain control of the city by advancing permanent posts and by the employment of moving patrols. In pursuance of the plan one company of Infantry was posted in Municipal School No 4 and patrols sent out. The patrols encountered no disturbances but reported that the city police station record room had been broken into and some of its contents burnt. It was also learnt that Congress volunteers were making a pretence of running the administration of the city.

"At this time the armed force at the disposal of the District Magistrate amounted to about 250 Indian, 30 A. F. I. and between 60 and 80 police of whom the last named has been continuously on duty with little sleep since the morning of May 11, and almost all were more or less damaged by stones.

"The position was that that the mobs scattered immediately at the sight of the troops, but showed the greatest ferocity when the police approached. The police themselves, as a result of the atrocious murder of their comrades, of their own injuries, and of anxiety for their families, were in a highly excited state and the authorities considered that if the police were attacked by the mob, it might be impossible to control their fire. It was, therefore, almost essential that the police should be withdrawn temporarily and given a rest. In these circumstances, it was found impossible to take any further immediate steps to regain control of the town. The position was further reviewed on the morning of the twelfth; further reinforcements were called for from Poona and the O. C. with the concurrence of the District Magistrate recommended that on the arrival of reinforcements, Martial Law should be declared.

"The Government of Bombay were informed of this decision and agreed to accept it on the afternoon of May 12. The 2nd Battalion Royal Ulster Rifles were immediately despatched from Poona. While they were on the way, Martial Law was declared at 8-30 p m. on May 12. The Royal Ulster Rifles arrived before midnight.

"The City was occupied by the troops at 4.30 a m on May 13, and Martial Law was put into force at 9.45 a m. Steps were immediately taken to reassure the law-abiding section of the population, while putting a stop to all demonstrations against law and order. Since the declaration of Martial Law no disturbance have occurred, nor a single shot has been fired and the present position is one of complete quiet.

"Every encouragement is given to reopen the shops, many of which had already begun to do business again by the morning of the 15th. Life in the Mahomedan quarter of the town is now normal, save for the restrictions necessarily imposed by the curfew order and the order preventing the assembly of crowds, except during the hours of prayer, in other parts of the city, the rate of progress towards normality is uneven, but everywhere noticeable. The mills were reopened on the morning of May 16 and the attendance was very good.

"During the first few days of martial law, military tribunals were established and dealt wholly with martial law offences; all offences which had occurred before May 12

being left for the ordinary courts to deal with. These military tribunals have now been superseded and the ordinary criminal and civil courts have resumed work, the civil magistrates taking cognisance of offences of all classes, including those under the martial law regulation which will remain in force until martial law is withdrawn which, it is hoped, will be possible within a very few days if nothing occurs to disturb the tranquillity of the city.

"The casualties among the mob cannot yet be exactly estimated, but a private medical practitioner who himself had treated a number of them and has been in the close touch with all the other doctors in the city calculates them at about 50, including 13 dead. Only 8 of the fatal cases are known to the authorities.

"The total number of rounds fired by the police during the disturbances was 103 rounds of ball and 10 of buckshot. Figure of revolver rounds fired have not been supplied, but are known to be very small. It is understood that the Auxiliary Forces did not fire at all, nor have the troops fired.

"Nearly all the rumours of hideous brutalities by the mob which have been freely circulated are without foundation. It is not true that policemen were tied together and burned alive, nor that one had his eyes gouged out, nor is there any suspicion whatever that two were thrown into a well. It is hoped that all the 8 missing men would yet be found.

"The civil authorities, the police and the troops have performed their duties in circumstances of greater difficulty with admirable restraint and moderation. The detachment of the G. I. P. Railway Battalion A F (I) under the command of Major R. S. Moberly, V. D., rendered invaluable assistance during the period before an adequate force of regulars had reached Sholapur. Special mention must also be made of the help given in many ways by Mr. J. A. B. Grier with his exceptional local knowledge, and by Mr. A. B. Tanner, Divisional Transportation Superintendent, who made excellent arrangements for the evacuation of the women and children."

## The Delhi Disturbances

### Official Statement

The Chief Commissioner of Delhi issued the following statement on the disturbances which occurred in Delhi on the 6th May 1930.—

"Previous to the events of 6th May, the situation in Delhi had for sometime past required very careful watching. Congress propaganda had been persistent and insidious and had paid no regard whatsoever to truth. The Civil Disobedience processions and public meetings which, on several occasions, were followed by serious demonstrations before the Kotwali, had been a regular daily occurrence for the past month since the commencement of the so-called Civil Disobedience Week on the 6th April.

Certain arrests had been made of men who had been most prominent in seditious activities by speech or actions and the Press Ordinance enabled a check to be placed on the flood of calumnies, falsehoods and incitements towards law-breaking which had been a special feature of a section of the press. But the Congress and Civil Disobedience organisers obtained a considerable measure of success in misleading and deluding a large number of people and in working up a movement which contained the greatest potentialities of dangers and over which they themselves could exercise no adequate control.

News of Mr. Gandhi's arrest became known about midday on the 5th May and by the next day excitement and tension were worked up to such a pitch that little room was left for doubt that those who nominally professed the creed of non-violence were determined by their increasingly aggressive actions to force upon the civil authorities and police collision which by dint of utmost forbearance the latter had averted. Throughout the night of the 5th and the early morning of the 6th May, the Congress

volunteers worked indefatigably to produce an overwhelming demonstration which they could regard not only as worthy of the occasion but which they hoped would so overawe and intimidate the civil authorities that respect for law and order might be undermined

#### HARTAL IN THE CITY

Proceedings began by a complete hartal throughout the city. Almost all the Muhammadan shopkeepers strongly protested but they were forced to close by the threat that otherwise their shops and goods would be looted. The next step was to send an advance procession to the District Magistrate's cutchery in Kashmere Gate where the Civil and Criminal Courts and the treasury and the police office were picketed by women dressed in red and holding ropes across the two entrances to the compound, while their men supporters formed a ring all round. Picketing was forcible in character. The Magistrates were able to make way through but pleaders and clerks of the different Government offices were debured from entry. The matter was reported to the civil authorities who could come to no other decision but that interference with the administration of justice and deliberate supervision of law and order could not be allowed. Orders were passed that an adequate police force should be sent to deal with the situation. In sanctioning these orders the Chief Commissioner gave special instructions that the assembly should first be warned that it was unlawful, that the leaders should if possible be isolated and that they should be told to disperse. He further directed that the orders should be given to be as careful as possible so that women were not involved in any clash that might occur. Meanwhile various crowds which had collected throughout the city made the Cutcherry their objective and gathered in a huge mob there. From such information as is at present available, it appears that the first trouble started with the most determined attack on an European officer by the crowd which had drifted away from the main mob and which stopped him while motoring through the Kashmere Gate close to the Government High School at the commencement of the Hamilton Road. His assailants swarmed his car and he was lucky to escape after receiving blows with fists and sticks and after his car had been damaged. This same crowd seems then to have passed under the Lothian Road Railway Bridge and at the junction with the Queen's Road met two cars containing the Deputy Commissioner and the Senior Superintendent of Police in one and the City Deputy Superintendent of Police and Inspector in another, these officers being on their way to study the situation. Without any sort of provocation the crowd, estimated at the time to number about 500, at once dashed and attacked the two cars and their occupants, all of whom were struck with stones or sticks. Both cars were considerably damaged and with difficulty were able to reach the Kotwali from where the officers returned with a strong force of police and dispersed the crowd under a shower of stones.

Another and much larger mob returning from the Cutcherry now made its appearance and was similarly dispersed. In these encounters the police used only sticks and inflicted about 40 casualties. All the injured persons were at once taken by car to the Kotwali and there medically treated. Meanwhile police patrols were sent out, of which one came up in time to rescue a European in a car who was being attacked in the Kashmere Gate. Another police patrol was compelled to use lathis to disperse a picketing force at the Cutcherry. By this time military assistance had been obtained and armoured cars patrolled the main road between Delhi and Kashmere gates, while troops were posted near the Mori and Kashmere Gates, and latter at Delhi main railway station. For the next 2½ hours little appears to have happened, although crowds gathered from time to time in Chandni Chowk and elsewhere.

#### REPORTED ATTACK ON POLICE LORRIES

The next serious incident occurred a little after 4 o'clock when some police lorries, which had been sent out by reason of an alarm at pumping stations, were returning and were savagely attacked when close to the Kotwali. The leading lorries got through, but the last lorry was isolated and its occupants stoned by the mob. To rescue this lorry and the police it contained, the senior Superintendent of Police led a charge from the Kotwali. Immediately on issuing from the Kotwali, the police were assailed by a stream of stones and bricks hurled from the Sikh

Gurdwara next door, which is under construction. The only method of saving themselves from suffering severe casualties and of rescuing their comrades in the lorry who were being savagely attacked in the open street was for the Police to open fire with buckshot. By this means the Police lorry was rescued at the cost of seven Police casualties of whom two are reported to have been severely injured.

Immediately after the rescue the Gurdwara was entered and searched by Sikh and Hindu Police in co-operation with the Gurdwara authorities. The Granthi and Guru Granth Sahib were left completely undisturbed and inviolate. All Sikhs found in the Gurdwara, who protested innocence, were given the benefit of doubt and were released. Only Hindu suspects found therein were detained in custody. No firing whatsoever took place inside the Gurdwara at any time nor was any shot fired in the direction of the Gurdwara building beyond what was necessary to check the storm of missiles.

Armoured cars were promptly despatched in support from the Fort on news being received of the attack on the police near Kotwali. It was not found necessary to utilise their services to disperse the mob, but after the dispersal they and the police pushed their way upon the top of the Chandni Chowk and as far as Lahore Gate, one or two shots being fired by the police *en route* in order to prevent themselves being taken at flank by stone-throwers from lanes and side-streets. Having cleared this area of rioters the force returned to the Kotwali. It was not necessary throughout the day to make use of troops in actual conflict with rioters.

#### PROMULGATION OF SECTION 144 ORDER

Orders under Section 144, Criminal Procedure Code, were promulgated prohibiting all carrying of lathis or assemblage of groups of more than five persons. A very satisfactory feature of the affair was that throughout the day Mahomedans kept themselves almost wholly aloof. All was quiet during the night of the 6th and early morning of 7th May. But thereafter the Congress workers with a view to creating further excitement endeavoured to organise the largest possible funeral procession, of the two men who had died, in the civil hospital as a result of the injuries received on the previous day. This was in direct defiance of the District Magistrate's order under Section 144 C. P. C. and the object was to re-establish their own influence in opposition to constituted authority. From the past experience in Delhi, the dangerous results of such processions are only too well-known. Authorities therefore made it clear that processions through the streets in contravention of the orders would be firmly dealt with and precautions taken by the police and military forces had the necessary deterrent effect so that Congress workers in spite of their efforts failed to organise further defiance of authority. Two bodies were taken by small parties of relatives or sympathisers direct from the Civil Hospital across the maidan to the Jumna. The situation in the city then became comparatively normal with trams running and tongas plying for hire and many shops open. Every effort to restore confidence among the law-abiding population has been made and clear warning has been given that no attempt to take processions or to hold public meetings in defiance of orders will be allowed. Loyal Mahomedan gentlemen have successfully used their influence among their own community which continues to turn a very cold shoulder on the mischief-makers and seditionists. There has been no recrudescence of any trouble and it is to be hoped that what has been a most regrettable chapter in the history of Delhi may be regarded as closed.

#### THE CASUALTIES

The most accurate estimate of casualties available at the moment to civil authorities not only by check of hospital figures but also after searching enquiries throughout the city is as follows: total of dead 4 (of which three are Hindus but one of these possibly not due to injuries sustained in the riot, and one Mahomedan). Other casualties (many of these quite slight), 190 of whom only six were Mahomedans. Police, 18 patients treated at Police Hospital one serious, and 20 police treated at Kotwali for minor injuries. The Chief Commissioner desires to pay the highest tribute to the manner in which, after the most trying strain and in the face of constant insults and provocation deliberately offered for weeks and indeed for months past, a most serious

situation was successfully dealt with and controlled, thanks to the splendid spirit shown by the police of all ranks and by civil officers in an unpleasant task. He desires also to acknowledge the generous manner in which all possible assistance had been so freely and willingly rendered throughout by the military authorities. Although troops were not required to act, their presence and the delay of military force in support of civil power allowed the police to deal effectively with mobs and contributed largely to the successful restoration of law and order.

### The Non-official Version

The following from the "Leader" of the 11th May which published the following communication from Pandit Motilal Nehru may be taken as the non-official version of the disturbances:—

I am enclosing for publication in "The Leader" copy of a communique issued by the Delhi District Congress Committee just received by special messenger. It gives a full report of the happenings of the 6th instant at Delhi. I learn from the covering letter that a full statement of the earlier incident of that day was made immediately after they occurred to the Associated Press by Mr Sahni, editor of "The Hindustan Times". Evidently the representative of the Associated Press has not thought fit to communicate it to the Press and preferred to broadcast the official version which according to the Congress communique is quite wrong and misleading. Mr Sahni's statement to the Associated Press, you will observe, is reproduced in the communique and vouched for by the Congress Committee. It is supplemented by the Committee itself with a narration of subsequent events. As the report comes from a responsible quarter and contains the people's version I hope you will insert it in your next issue for general information.

### The Dt. Congress Committee's Communique

The District Congress Committee in the course of the communique referred to above, says:—

The Congress sub-committee, has seen the statement issued by Mr Sahni to the press. That statement relates to events ending with the dispersal of the procession in the Queen's Garden and subsequent assaults in Chandni Chowk on stray people by the police. The Congress Committee endorses the statement as a correct narration of facts and has decided to adopt it as part of its own statement for the information of the public. Mr Sahni's statement is reproduced below:—

"I was with the procession from beginning to end. For the last two days the police has been too evident in public places. In the last two meetings more than a hundred policemen were placed among the audience and it was a miracle that among a crowd of more than 50,000 which attended the meetings yesterday there was no molestation. The procession to-day consisted of more than 50 to 60 thousand. There were more than a thousand ladies also in the crowd. A general hartal had been declared in the city and even Government offices including banks and the clearing house had been closed. When the crowd reached Bara Bazaar near Kashmir Gate the ladies separated from the crowd and went to the court to persuade the lawyers and the authorities to get it closed. To avoid any rush on the part of the crowd, volunteers were posted on all roads leading to the court. In the meantime the main procession started towards the city. When the procession was proceeding towards the city, according to L. Girdhari Lal, who was then with the procession, a car dashed through the crowd near the Government school. Finding the crowd too large to permit passage the owner of the car attempted to tear back and while he was receding his car many people were injured. It appears that this car was occupied by Mr Senior, Superintendent of C. I. D. This excited the crowd but the procession still wended its way very peacefully to the city. When the crowd had passed over the bridge another car drove up. The occupant of the car was asked to proceed in the direction of the station but instead he began to argue in an excited manner. This excited the crowd and some one threw stones hurting the hat of the occupant and another falling on the hood. It appears that the occupant of this car was Mr. Jeffreys.

## POLICE ACTION ON THE SPOT

"Soon after this incident while the crowd was proceeding towards the city, three lorries full of policemen reached the spot and showered lathi blows, injuring more than two hundred. No warning for dispersal was given. Three lorry loads of the injured were taken to the Kotwali and latter those seriously injured were taken to hospital. Simultaneously a similar rush was made at the crowd in the court. It will appear that there were more than fifty people besides about a thousand ladies in the whole court compound. The ladies would have returned but for Mr. Pool's assurance to a deputation of theirs to wait for him for half an hour so that he could bring from the Deputy Commissioner the order for closing the courts. While the ladies waited patiently for the reappearance of Mr. Pool, instead of the Additional District Magistrate three lorries full of policemen dashed into the court compound and showered lathies on all and sundry. Even the ladies who were blocking the road leading to the court to prevent the crowd coming in the compound were not spared and more than ten of them received injuries including Mrs Sahni and the mother-in-law of Pandit Jawaharlal Nehru."

After describing the injuries sustained by a girl and others and the intervention by some members of the bar he proceeds "The police officer then ordered the crowd to disperse within three minutes as he had declared the assembly unlawful. When asked for an order he had none. It may be noted that there was no magistrate accompanying him. He threatened to open fire if the crowd did not disperse. In the meantime five armoured cars reached the scene. The ladies refused to leave the place unless the police was withdrawn and they were allowed to return in procession. The police later withdrew to the farthest end of the court yard and left the road free when the ladies and others marched back to the city."

"An hour later when the processionists had dispersed, peaceful crowds sitting on closed shops in Chandni Chowk were repeatedly assaulted with lathies by the police for reasons unknown, at various places in Chandni Chowk. The list of those injured in these assaults is not yet known. On the whole more than 300 people have been injured," concludes the statement.

It will appear that after the procession had been dispersed people either left for their homes or collected in small groups before closed shops to discuss the events of the day. A large number of wounded had been taken by the police. The request of the people to see or get information regarding the wounded was, it is understood, refused by the authorities. The local authorities in the meantime had promulgated Section 144 in Delhi. This promulgation, however consisted of an announcement of which no-body among the crowd outside was made aware. Simultaneously with the supposed promulgation of section 144 policemen with lathies started dispersing crowds collected in all parts of the city. Attacks were made on innocent citizens collected in Chandni Chowk, in Hauz Qazi, in Fatchpuri and in small side streets. In Hauz Qazi, which is predominantly a Mahomedan area, many Mahomedans received serious injuries, two of them being left, according to eye witnesses, in a most critical condition.

## FIRING INCIDENTS

Following these events the public naturally began to collect more and more before the kotwali. Suddenly firing was opened on the crowd before the kotwali by the police which had been previously collected in the kotwali buildings. The actual facts leading to this firing cannot be fully ascertained since the firing was sudden and unexpected. From conflicting versions including that of the authorities it will appear that a lorry full of policemen was stopped near the kotwali by some people in the crowd and, it is alleged by the authorities, some brickbats were thrown upon the police. It is also alleged, though denied by responsible Gurdwara authorities, that brickbats were thrown from the roof of the Gurdwara, Sish Gunj. Whatever may be the actual basis for these allegations, what followed was that from the roof, first floor and the compound of the kotwali the crowd was fired upon on all sides. It may be mentioned that the Gurdwara, Sish Gunj which adjoins the kotwali has windows between it and the kotwali. According to the Gurdwara authorities the manager of the Gurdwara was mishandled and insulted by the police. Later, a regular shower of bullets rained upon the Gurdwara from the roof of the kotwali, from the compound and from within the kotwali through the windows above mentioned. There are even now 150 to 200 bullet marks in various places inside

the premises of the Guidwara. Numerous empty bullets have been collected by the Guidwara authorities. More than ten people in the Guidwara were seriously wounded. The police marched out and in Chhota Dariba, which is about a furlong from the Kotwali, they fired for about hundred yards wounding about 13 people, one of them, a Halwai in the abdomen.

The communique proceeds

Some of the wounded are in a very serious condition. One Mahomedan boy and two Hindus have already died. No trace yet been found of more than 50 about whose whereabouts inquiries have been made in the Congress office and whose absence is still a mystery. Two corpses hitherto unclaimed were found in the moat surrounding the Fort. Their deaths appear to have resulted from gunshot wounds. Eight policemen are reported by the authorities to have been injured

## The Lucknow Disturbances

### Official Statement

The following press communique was issued by the Commissioner, Lucknow division on the 26th May on the disturbances which occurred in Lucknow on the previous day, i.e. the 25th May 1930 —

"Since very exaggerated and false rumours are being circulated regarding the dispersal of the Congress procession by the police in Lucknow yesterday to the effect that the police charged the procession with spears and that eight or ten persons were killed and about 150 to 200 persons were injured, it is necessary to inform the public of the true facts.

"The following is a brief history of the recent attempts of the Congress to take processions down Hazratganj. The first procession was taken to Hazratganj on the 14th May, 1930. Before the procession was taken out, the Congress authorities were informed by means of a notice under section 30 (1) of the Police Act that in view of the fact that no procession was ever allowed in the past to pass through Hazratganj they were at liberty to take the procession anywhere except Hazratganj. Hazratganj is mainly a European business quarter and is a busy thoroughfare over which much motor and other vehicular traffic passes in the after-noon, and the passing of a large political procession down that road would both interfere with traffic and be a source of annoyance to peaceful citizens living in that neighbourhood who do not belong to the Congress party. The procession was, following the previous precedents, prohibited from passing through this quarter of the town but no heed was paid to this notice and the procession was brought to Hazratganj. The patience and forbearance with which the police acted on this occasion has been acknowledged by the local press. Briefly the nine men who were sent ahead of the main body to do Satyagraha were kept sitting by the police till early next morning and then removed a short distance away and released. On the 22nd of May the Congressmen took out another procession to Hazratganj. Although they had been served with a notice under sec. 30 (1) of the Police Act to avoid this route they were allowed to pass on this day and the only step that was taken was to arrest 13 of the men who led the procession the next day and to prosecute them. Although the procession passed through Hazratganj on this occasion, they persisted in taking out another procession destined for Hazratganj on the 25th of May in defiance of an order under section 30 (2) of the Police Act to the effect that they must take out a license.

"The local authorities, in view of this provocative attitude, had no alternative but to declare the procession to be an unlawful assembly and to disperse it. Due warning was given to the procession to disperse or to take another route, but they persisted in their intention to pass through Hazratganj. Mrs. Mitra, the leader of the procession, was then arrested and the other ladies who were in the procession were taken to a distance of about two miles and released. The rest of the procession was dispersed by the police with batons. With the exception of a few Satyagrahis the processionists fled before the police reached. Of the Satyagrahis two



suffered fractures, one on the leg and one on the arm and eight or 10 were more or less severely injured, while about 50 of the others received trifling injuries. These figures are merely on estimate but as far as enquiries show they are correct.

"It is absolutely false that life was lost or that any one was ever dangerously injured. It is also altogether false that the road was a pool of blood or that ladies and children were beaten. A certain amount of injury was inevitable as the Satyagrahis struggled desperately with the police, but no amount of force not necessitated by the situation was employed."

#### Another Communique

The Commissioner also issued another press communique on the 27th May —

"Yesterday, after varying rumours, it was ascertained in the afternoon that the Congress Committee had decided again to take a procession down Hazratganj. On the previous night, following the forcible dispersal of some Satyagrahis on the Abbott Road by the police, mobs in the city had showed a very hostile and threatening attitude towards the police. A large crowd collected in front of the Aminabad Chowki and another in front of the Kotwali, and foul abuse was showered on the police till after midnight. The situation in the city was such that solitary policemen on traffic duty had to be withdrawn. In one or two cases, solitary members of the police had to run from threatening crowds. In view of these events it was anticipated that the crowd in Aminabad, from where the procession was to start, would be hostile. As a precautionary measure and in order to exercise a steadying influence in the city it was thought advisable to requisition some military support and a squadron of the 3rd Hussars and a company of the East Yorkshire Regiment were accordingly sent to Aminuddaula Park where it had been decided to stop the procession. The police kept the Aminuddaula Park area clear of the crowd, but great numbers gathered on all roads leading into the park. The only convenient station for the infantry was the lawn in the park itself. As the Congress (National) flag was flying there, this was removed but the flag staff was not destroyed and the crowd were allowed to rehoist the flag as soon as the troops were withdrawn. No untoward incident occurred in the afternoon. No procession was taken out, and at about 7 o'clock some men with a flag came up to the police cordon at the western entrance shouting that they had been up to Hazratganj. It appears that a small body of eight men came by different routes and walked up Hazratganj when the police were elsewhere engaged. Between 7 and 7-30 the situation appeared to be well in hand and it was thought to be safe to withdraw the troops leaving a force of 200 police with 10 armed men in the Aminabad chowki. Within about half an hour of the removal of the troops, an infuriated mob attacked Aminabad chowki on all sides and pelted it with bricks. The mob also tried to set fire to the chowki. They also looted several stalls and shops close by, including a watchmaker's and a cloth merchant's. The police had a desperate struggle for some time in the dark and were forced to fire in self-defence at very short range. Fifty-seven shots were fired by the police.

"Up to the present moment it has been ascertained that four men were killed and about 30 injured. It has not been possible up till now to obtain any exact estimate of the number of injured. As the crowd was an infuriated one and it was reported from the city that it had split up into several gangs which were wandering in the Ganeshganj direction and which might unchecked have made an incursion into the civil lines, it was thought proper to ask for military aid and the scheme of 'support of civil power' was put into execution. At the time the military aid was requisitioned the bulk of the available police was imprisoned in the Aminabad chowki. Two shots were fired from the roof of a house probably with a revolver at Rai Sahab Parbhudayal Singh, deputy superintendent of police. It would have been difficult to check the incursions of the mobs into different parts of Lucknow. On the arrival of the military, troops were stationed at various strategic points. The night passed without further incident except that an armed guard who hurried from Hazratganj were just in time to stop an attack on the Husainganj outpost. The police casualties were 12 or 14 including hospital cases. The military precautions are being maintained over to-day and a curfew order has been promulgated and also orders under section 144, prohibiting assemblies or processions of more than five persons and preventing the carrying of any weapons of offence for a period of 15 days."

### Non-Official Statement

The following statement on the disturbances was issued by the Committee appointed by a resolution of a general meeting of the citizens of Lucknow representing all shades of opinion excepting the Congress.—

"In issuing this statement we are actuated by our sense of duty in fairly and truly stating the facts relating to the happenings of the 25th May, 1930, when the Satyagrahi procession was dispersed on Abbott Road by the Lucknow police. We have confined our enquiries for elucidating the facts relating to the aforesaid incident only. We are fully conscious of the fact that when law and order is being definitely defied, Government has its distinct duty to maintain the same. But the facts as elicited will indicate that inexcusable excesses have been committed and there has been a gross misuse of power by the authorities concerned. The communique issued by the commissioner containing the facts is, in our opinion, incorrect on material points and hence misleading. In the first place the figures of injured persons given in the statement are much lower than have been found by the independent and searching enquiry made by us. The figures obtained from the King George's Hospital and the Balrampur Hospital alone show that more than 55 persons who have received injuries were treated and attended to in these institutions. There are still 14 in hospitals. Twice this number has been treated by other private medical practitioners and there were others who sent for medical aid at their own houses. Our modest estimate of the injured persons is about 200. Of these at least seven are cases of fracture.

"The commissioner in his communique says that "no amount of force not necessitated by the situation was employed." This statement, we submit, appears to have been based on the most erroneous data. To have caused grievous hurt and fractures to the Satyagrahis who, according to all correct information, had in no way resisted the police and were mostly beaten while squatting or lying on the ground, distinctly shows that the force employed was not of the kind that should be used for dispersing such a crowd but in attacking a foreign foe with a view to destroy or physically cripple the enemy. The use of force according to the facts we have been able to elicit was not limited to the processionists or the crowd about them but also to the members of the civil population who innocently happened to be present in the vicinity of the scene on the occasion. The most condemnable cases of assaults by the police, as has been proved by our enquiry, are in cases of those persons who were in the adjoining houses as spectators and these included even ladies and children. The commissioner appears to have been wrongly informed that no ladies were beaten. We can give names of the ladies who were actually beaten by the police and have received injuries.

"The sum total of our enquiry on this point is that the police charge on this occasion was pre-arranged and the object of it was not only to disperse the crowd but to demoralize the citizens of Lucknow by causing serious injuries and by the use of unnecessary force. This conduct of the police is resented and condemned by a very large percentage of citizens who have always stood for law and order and who have no sympathy for the law breaking programme. In our opinion if this policy of intimidation by means of deliberate and merciless assaults is not given up and if the official world will not respect or continue to ignore the fact brought before them by the reliable non-official agency, it will be very difficult to restore trust and confidence in the minds of citizens. The officials seem to take great pride in the fact that they treated the ladies very well by taking them away in lorries and having left them two miles away. Our enquiries show that they were taken to the Alambagh police station outside the city and were detained there for over a couple of hours and then let go in the darkness of night to find their way through the dangerous and deserted area which lies between it and the city and to be at the mercy of the scoundrels and hooligans. Is this the civilised form of treatment which should have been held out to the ladies who have been out of purdah only recently?

"We have further found from our enquiry that a doctor who held a stethoscope was also beaten in the compound while attending the injured. People who were attempting to rescue the children also received severe beating and even the children were not spared. We may add that in our opinion the assaults in many cases were on the people who were outside the crowd and we only wish that if cases of

identification of assailants on such people can successfully be made out, many police officers will be found guilty of offences under the Indian Penal Code".

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## The Patna Disturbances

Interviewed by a press correspondent on Saturday the 19th, April 1930, Babu Rajendra Prasad made the following statement with regard to the happenings at Patna on that day —

"According to our plan, which had been followed for the last three days the first batch of five volunteers went out in the morning and when they were going along the road they were overtaken by a body of sowars under the command of a European officer. Three of them were mercilessly beaten by the European officer and thrown into the drain from where they were removed by our stretcher-bearers. The remaining two moved on and were joined by three others and were supplied with flags. When they approached the Sultanganj Thana they were obstructed by police constables who forcibly took away the flags from them and injured one of them who had to be removed. The others moved on and passed the police line. The second batch of five volunteers was sent out again at noon. They were again obstructed and beaten with baton and poked with lathis. They all received injuries but managed to go along. After they had passed the sowars, they were let alone and the European officer with the sowars charged the crowd that was standing along the road and in the verandahs of houses and open spaces by the side of the road. People were charged and beaten even in the verandahs. While this was going on, other people, who were going along on the road, were also beaten and assaulted. Two of them when urged to move on sat in the middle of the road and refused to budge. They were poked and beaten and the horses of sowars surrounded them and put their hoofs on their legs but they remained sitting. The sowars then moved away. A man with a camera was taking a snapshot when the European officer fell upon him and snatched it and it fell on the ground and was picked up by another man who threw it on the roof of an adjoining house. A man from amongst the crowd was made to climb the roof and he managed to pick up the camera.

"In the evening the third batch of five volunteers went out again. It was challenged and the flag was sought to be snatched away. In the melee it was torn into two pieces and the volunteers passed on with a portion of it. This happened where the sowars under two European officers were posted. Professors Kripalani, Abdul Bari, Badrinath Verma and Babu Murali Manohar Prasad, editor of the "Searchlight" went to the scene with me in a car. We alighted from it and saw the European officer charging and beating the crowd with batons followed by the police who were freely using the "lathis." The crowd was standing either in verandahs or open spaces or along the road keeping the middle absolutely clear for traffic which but for the obstruction of the sowars could easily pass. Among the persons who were thus assaulted was Moulvi Abdul Bari, Muhammad Saqui, Wakil, who was standing in a verandah with some other vakil friends. When we saw from a distance this indiscriminate assault on absolutely harmless crowd we moved in that direction. By this time the whole road was cleared and the crowd had moved on. I was in front. Professor Bari, Kripalani and Badrinath were following me. The two European officers saw us and came running on their horses and it seems deliberately selected Prof. Bari and myself for assault. They put their horses behind us and began to shout 'get along.' One of them was using his baton or whip on Prof. Bari and freely kicked him. The other man was, pressing me with his horse and, I am told, used his whip or baton against me, too, but I did not see it as he was behind and I did not feel any hurt as I had a thick chaddar on my shoulders. Prof. Bari's injuries are not severe nor Mr. Saqui's. I received no injuries at all. We went along at our usual pace and were after a

time let alone. The two officers are understood from Prof Kripalani, returned to the S. P. and reported triumphantly that they had not spared the leaders also. The crowd was absolutely peaceful and there was neither retaliation nor scramble. They received the beating and moved along as if nothing had happened. The Police are, it seems, now determined upon provoking violence so that they might get cause for using their guns. There has been no incident whatsoever on the part of the people. The exemplary non-violence and heroism of the volunteers as also of the crowd is having its effect in all classes of people and the whole city, including gentleman of the position of Mr. Hasan Imam, has been deeply affected. His wife who was passing on the road while she was returning from church saw something of the happenings and was deeply moved. She offered her car for removing the wounded but as our camp was near, it was not availed of. He, his wife and the whole family are going to boycott foreign goods and particularly foreign cloth. He is going to invite Pandit Malaviya to inaugurate a boycott campaign in which he proposes to take a prominent part."

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## The Chechuahat Disturbances

The Government of Bengal issued the following communique on the 5th June 1930.—

"The Government publish, for information, the following account of the disturbances at Chechuahat, in police station Daspur, in Ghatal sub-division of Midnapur district. On June 3, Sub-Inspector Bholanath Ghosh and Assistant Sub-Inspector Anuradha Samanta, with four constables of Daspur police station, went to Chechuahat to arrest some volunteers who were picketing there and delivering seditious speeches.

"The four volunteers thus arrested were left in the custody of the constables, while the sub-inspectors went on in search of others. They were attacked by a mob led by volunteers and were forced to retreat to the place where the constables had been left. They arrived there but not without injuries. At about mid-day the party left with the arrested volunteers for Daspur police station, but were attacked by an overwhelming mob, again led by volunteers. The sub-inspector and the asst sub-inspector were separated from the constables and there seems to be no doubt but that Mr. Bholanath was brutally murdered. The fate of the assistant sub-inspector is unknown. The constables managed to struggle back to the police station.

"News of this affair was brought to Midnapore and the additional district magistrate and the additional superintendent of police went to Chechuahat to investigate, with 18 armed constables and arrived there on the evening of June 5. Next morning the village of Nandanpore, where there was a large number of volunteers, was visited and several arrests were made. Investigation proceeded throughout the day. Late in the afternoon news was brought that a large body of men was collecting near the spot where it was intended to encamp for the night. This place was to the east of the dry bed of an embanked river which follows a tortuous course round the three sides of the camp. Some 6,000 men were discovered to be approaching from the rear, while another 4,000 were standing on the opposite side of the 'khal.' Conch shells and whistles were being wildly blown, and the sun had set. The additional district magistrate ordered the crowd to disperse. The ringleaders of the volunteers replied that they demanded the release of those previously arrested. This was consistently refused and when the crowd made a rush across the 'khal' fire was opened. At least one man in the attacking crowd was armed and fired at the police. The crowd retired, but continued to blow whistles and conch shells, and as it was by this time dark and the position of the police was insecure, the latter also retired to their camp in Hat and later, as this was also open to attack, it was decided to march back towards Ghatal. On the way the police were attacked by another mob, but the firing of one round checked them. The party eventually reached Ghatal at 2 p. m. on June 7.

"The situation being evidently one of extreme gravity, the district magistrate

and the inspector-general of police proceeded to Ghatal with 100 armed police and left for Chechuahat on the evening of June 8 arriving there on the morning of June 9. No opposition was encountered and the villages around were deserted. Investigation is still proceeding and the situation is well under control.

"There is no doubt but that these incidents, both the assault upon and the subsequent murder of sub-inspector Bholanath Ghosh and the furious attack upon the investigating force on June 6 were directly due to the instigation and incitement of volunteers, whose camp at Bauder has recently been raided and of whom 25 have been arrested."

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## The Bihpur Disturbances

A detailed account of the disturbances at Bihpur, district Bhagalpur, is given in the following Government communique issued on the 18th June 1930 —

After the assembly of Congress volunteers there had been declared unlawful and dispersed and their camp occupied by the police, bodies of volunteers and their sympathisers made persistent attempts to regain possession and on successive days very large crowds collected. The volunteers paid no heed to the prohibitions of the superintendent of police and other police officers but endeavoured to force their way into the camp. They were compelled to use force to prevent them but orders were given to strike only at the legs of the volunteers to avoid causing serious injury.

### THREAT TO POLICE

On the 5th and 6th June, the situation took a more serious turn when lecturers who addressed crowds became more vehement in their denunciations and in particular made attempts to influence the police, threatening to bring trouble on their families through local Congress Committees. Many among the crowds were armed with 'lathis' and the local officers decided that it was unsafe to allow such assemblies to continue in the immediate neighbourhood of the camp.

Steps were accordingly taken to disperse the crowds as they began to assemble. As the warning proved ineffective constables had to charge to disperse them. On one occasion when the police were dispersing one crowd, another crowd armed with 'lathis' estimated at several thousands strong threatened to counter-attack and was only dispersed with difficulty and after some heavy stone-throwing.

On the 7th June a larger force of the military police being available, it was possible by putting out pickets to disperse the crowds before they reached the camp.

On the 9th June on the occasion of the visit to the spot of Babu Rajendra Prasad and other Congressmen from Patna and elsewhere an enormous crowd collected and the police pickets had to fall back, but as the superintendent of police learned that there were some responsible leaders present, he did not proceed at once to disperse the crowd hoping that the leaders would be able to control their followers, and would realise the folly of moving a huge uncontrolled mob up to the camp.

As, however, three large separate crowds then formed the superintendent of police ordered the largest crowd which had pushed back the police pickets furthest to disperse and on its refusal the police made a charge in the course of which some provincial leaders are believed to have received minor injuries. They were not known to the local police and were in no way singled out as has been alleged in newspaper reports of the occurrence. Three of the local leaders were arrested and removed to Bhagalpur.

The agitation now covers a wide area round Bihpur and it is significant that the crowds are not composed of innocent sight-seers but of men many of them armed with 'lathis', who have been deliberately drawn to the scene by Congress workers in the hope of overfawing or overpowering the police. The resignations of chaukidars in the locality have been extorted by the most objectionable methods of social boycott directed against their women and families. The police has also been threatened and prevented from doing their ordinary work.

The forces employed have, however, behaved with courage and commendable restraint in a very difficult situation and have used the minimum force in their task of dispersing large and hostile crowds. Additional reinforcements have been despatched to restore order and re-establish confidence.

### Non-Official Statement

The following statement issued by S<sub>j</sub> Rajendra Prasad may be taken as the non-official version of the happening :—

"Bihpur is a place about 10 miles from Bhagalpur. It is the headquarters of a thana and has a small bazar. The Congress Committee has a small house on rent and in the same compound, there is another such house which was occupied by the Khadi depot of the Charkha Sangha. Some time ago salt was made and Babu Kailas Behari Lal, ex-M L C, the then president of the District Congress Committee, Syed Zihurul Hassan Hashmi, and Mr. Mahadeva Shroff, M Sc, were arrested. Salt was manufactured for some days but later on the attention of the volunteers was directed to the picketing of liquor and Ginja shops in the bazar. There was no disobedience of salt law going on on the 31st of May last when the district magistrate, Mr. Toplis with the S P and A S P, and a large number of armed and ordinary police reached Bihpur. On the 1st June in the afternoon one of the European officers accompanied by some constables went to the Ginja and liquor shops which are situated close to each other and asked the volunteers who were picketing to go away. On their refusal they were beaten. The national flag was forcibly taken away and burnt. There were only three volunteers picketing, but there were about half a dozen more in the Congress office, which is about 300 yards away. The volunteers saw the flag burning. They made several attempts, and succeeded ultimately in snatching away some of the ashes. After this was over the police turned their attention to the Congress office and the Khadi depot. They surrounded them and asked the inmates immediately to vacate their house but all their protests that they had stock of Charkha, yarn, and Khadi which could not physically be removed within the time allowed and that the Charkha Sangha itself was not concerned directly with the Congress activities were not heeded and they were forcibly turned out. The lock was broken and Charkha, yarn, cotton and a cash box and some Khadi pieces together with the belongings of the inmates were thrown into ditches. They are still probably lying there except the cash box which one of the volunteers recovered. The whole compound and the two houses remain in the occupation of the police since the 1st, and all approaches to them are strictly guarded.

The next day, that is the 2nd June, the workers decided to send a Jatha of five volunteers to attempt to take possession of the houses from which they had been forcibly ejected. Accordingly they sent a Jatha in the afternoon with instructions that they should proceed until they were arrested or disabled. When the Jatha went out on the 2nd, 3rd, 4th, 5th and 6th the members of the Jathas were mercilessly beaten till some of them became senseless. The doctor's report, describing the injuries on their persons mentions some gruesome injuries. The news of the beating having spread large numbers of villagers numbering sometimes ten or twelve thousand or more began to assemble in the afternoon to see the Jatha being beaten. On the 6th there was a big meeting in a mango orchard about two or three furlongs away from the Congress office which is now in the possession of the police attended by about 15 to 20 thousand people. The police under the command of a European officer arrived at the meeting and indiscriminately belaboured a very large number of those assembled. About a hundred of them who were more or less seriously injured were given first-aid by the Congress doctors. On the 7th the volunteers who went in Jathas were not beaten but they were bound hand and foot and left lying on the ground while the police under a European police officer attacked the crowd and beat them indiscriminately. The Congress has now got a small house in the bazar which is about two or three hundred yards from the old office. This is also kept under guard by the police in the whole of the afternoon. People wearing Khaddar are not allowed to enter the bazar or to go along the public district board road which passes between the bazar

and the old Congress house. On one of these days the police rushed to the new Congress house as also to the dispensary of a doctor adjoining it who has been rendering first-aid to the injured persons and broke some of his medicine phials. What I have stated so far is based upon information from people who were eye-witnesses or have themselves suffered at one stage or another at the hands of the police.

Prof Abul Bari, Babu Baldeva Sahay, Advocate, ex-member of the Legislative Council and Babu Murali Manohar Prasad editor of the 'Searchlight' and I arrived at Bhagalpur at noon on Sunday the 8th. We learnt that on account of Mohurram there would be no jathas sent out on that day. We stayed at Bhagalpur, saw the large number of wounded people who had been brought for better treatment to Bhagalpur. On the 9th all of us who had come from Patna, as also Babu Anant Prasad M L C, Babu Kamleshwar Sahay, M L C, Mr Yakub Ariff who was at one time a member of the Legislative Assembly, Babu Upendra Nath Mukherjee president of Bhagalpur District Congress Committee with a number of other friends went to Bihpur. We arrived there at noon and saw that the road just outside the station was picketted by the police and no one wearing Khadder was allowed to pass by the public road and even to the new Congress camp. Mr. Ariff saw the superintendent and the police pickets were removed from the road leading to the new Congress office. We went and saw the Congress office and Babu Anant Prasad, M L C and Babu Kamleshwar Sahay, M L C who are also members of the district board wanted to go along the public road to the Dak Bangalow but were not permitted by the police to go. Later on we had a big meeting in an orchard where on a previous day the people assembled at a similar meeting had been assaulted and beaten mercilessly. There was no interference by the police with the meeting on Monday which was addressed by Mr Ariff, Prof Bari and myself. At 5 p.m. the meeting dispersed and as it was time for the jatha to go to the dispossessed Congress house a large number of people proceeded to see how they were treated by the police. We also came and took different positions from where we could see what was to happen. The large crowd was on the public road which is on a pretty high level. A very small number of people including the Patna party, Mr Ariff and some others came to the Congress office from where the jatha was sent out. We stood in the open ground in front of the shops and the Congress office. The jatha went out from there and when it reached the police cordon it was quietly arrested and as we learnt later, taken to an adjoining primary school and kept in custody there. The crowd was standing at a distance of about a hundred yards from where the jatha was arrested. After the jatha had been arrested a European who I am told is the superintendent of police came running and ordered the police to charge the crowd. He was in front shouting 'Maro-Sala-ko' and the police with big lathis in their hands beat the crowd on the road. The jatha having been arrested the crowd would have dispersed in no time particularly where the volunteers were not beaten or ill-treated. The attack was wholly unprovoked, the crowd was absolutely peaceful and received the beating without the least attempt at retaliation, otherwise it would have been plainly impossible for a dozen constables and the police superintendent to have entered big crowd of thousands and to beat all and sundry indiscriminately without as much as a scratch on any of them. Having done the work on the main road they turned to the bazar where we were. I saw a man sitting in one of the shops being dragged out and given a beating.

The Superintendent with his constables saw us from a distance and looked around as if to reconnoitre the ground. He then suddenly jumped and rushed towards us shouting his favourite slogan and followed by his policemen. They gave Prof. Abdul Bari several blows, two or three of which were administered after he had sat down with a bleeding gaping wound on the head and several blows on his shoulder. The superintendent came rushing towards me and looked as if he was coming to knock me with his fist. But for some reason or other he passed on between me and Babu Baldeva Sahay, but not so his constables who gave several blows on me, some of which were taken by Babu Baldeva Sahay and two valiant volunteers, namely Kant Lal Choudhury and Ramgati who is very badly injured. I got at least three lathi blows, Babu Baldeva Sahay at least four, and friends like Babu Murali Manohar Prasad, Prof Jnan Saha, Ram Bilas Sarma, Babu Moti Lal Khandelal, Babu Syam Sundar Lal and others, whose names I cannot remember, also came in for blows. I saw later Dr. Leykat Hussain of Sultanganj being brought in a stretcher very badly

injured on the head on the eyes and the back Babu Rash Behari Lal was given many blows while he was sitting with Dr Leyakot Hussain, but a sola hat which he was wearing gave him some protection. Babu Muralidhar Poddar of Patna city was profusely bleeding and so were a number of others. About fifty people were given first aid by doctors at the Congress office, a dozen of whom are more or less badly injured. There is of course no reliable information about the number of villagers who went away after the assault to their respective villages. Babu Mewa Lal Jha, Secretary of the District Congress Committee, was arrested and a little later the same European officer accompanied by the inspector and sub-inspector of police and some constables was seen coming to where we were all being attended to by the doctor. They arrested Babu Upeni Nath Mukherjee, acting president of the District Congress Committee and Babu Satydev Roy, the president of the Bihpur Thana Congress Committee. There was of course no warrant at the time the arrests were made.

I was told to day on my return to Bhagalpur that the charge against them is of one being members of an unlawful assembly under section 145 of the Indian Penal Code, that is of joining or continuing in an unlawful assembly knowing that such unlawful assembly had been commanded in the manner prescribed by law to disperse. The fact, however, is that there was no order or command to disperse either in the manner prescribed by law or otherwise. The jatha which had been arrested and kept in custody was released after dusk and we returned to Bhagalpur late at night together with those more or less seriously injured. I desire to state on my own personal testimony as also of that of different friends who were in different parts of the crowd that it was absolutely peaceful that there was not much of shouting of the national slogans even. There was absolutely no justification on the part of police to charge the crowd and beating all that came in the way unless it be to create an impression and to terrorise the village folk. The action of the authorities appears to have produced the contrary effect. It has roused the spirit of the villagers and has created great sensation in circles generally friendly to Government. I am told that some 150 choudhais, 6 sarpanches and some Dafadars have resigned in the Bihpur Thana and it is expected that others will follow suit. The two members of the Council, who had gone to see for themselves, have come back deeply affected. Needless to say, there is absolutely no justification for the forcible occupation of the Congress house and the casting into ditches of the stock of Charkha, yarn, cotton, Khadi etc. and for the forcible ejection of the employees of the Charkha Sangha from the depot. Needless also to say, the Jatha will continue to go from day to-day.

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# The Simon Commission Report

## Vol. 1—Survey of Indian Position

The Simon Commission report, vol I which was released on the 7th June 1930 for publication, just a fortnight in advance of the second volume containing recommendations, says the Associated Press marks an important departure from established practice, and a explanation for this course is given by the Commission themselves in the following significant words :—

### WHY VOL I. IS PUBLISHED IN ADVANCE

“The problems connected with the future are of such complexity and importance that we were unwilling to see our proposals for their treatment thrown into the arena of discussion and controversy before there has been time to examine and digest the survey of the present position, on which our recommendations are based, and in the light of which we believe them to be justified. If the account we have given in vol I is justified and fair, we believe that our recommendations in vol II will be found to be wise and necessary. In handling matters so various and so vital, it appears to us to be absolutely necessary, first to establish the greatest possible measure of agreement as to the fundamentals of the Indian problem before hastening to consider the method, pace and direction of advance that can now be made along the road towards its ultimate solution.”

### REPORT UNANIMOUS

Speaking of both volumes the Commission say : “Our report is unanimous on all fundamental matters and will be found to be without a dissenting minute.”

Volume I, which is named “Summary,” contains 409 pages. It is divided into seven main parts. The first describes the conditions of the problem ; the second defines the existing constitutional structure ; the third reports on the working of the reformed constitution ; the fourth part deals with the administrative system as it prevails today ; the fifth part relates to the system of public finance ; the sixth part is devoted to the growth of education, and the seventh part conveys impressions about public opinion in India. The picture painted by some of these chapters may appear well known to students of Indian politics, but is obviously intended to give a complete survey of India to the uninitiated in England in order to help him to grasp the fundamentals of the Indian problem. The survey has throughout been written with a desire scrupulously to avoid an expression of constructive opinion or hint of the coming recommendations, though at places the manner of expression may force a conjecture on the mind of those well versed in constitutional matters. This volume, therefore, will only heighten the interest as to what the second volume may unfold.

### ABUNDANT MATERIAL EXAMINED

With reference to vol II, the Commissioners remark : “We have examined many schemes and suggestions. The material is abundant and while it is true that we were denied the direct testimony of some important bodies of Indian opinion, we have had the fullest opportunity of studying the report of the committee appointed by the All Parties Conference, 1928, commonly called the Nehru Report and have not failed to give due attention to its contents and to other still more recent expositions of contemporary Indian opinion. We do not feel therefore that we have been deprived of assistance from such quarters and we have in addition a mass of interesting and suggestive proposals put forward at our request by the various provincial Governments, by provincial committees, and by a wide range of unofficial bodies, both European and Indian, from all parts of India. Our conclusions are based upon an examination of all this material and upon our own enquiries and deliberations.”

In the introduction to the report, the Commissioners make some observations of fundamental importance. They declare that the august declaration “supplies the governing conditions to be observed and satisfied by any and every scheme” for

India's constitutional progress." That declaration was a pledge and assurance offered to India by Britain herself." They added "We enter upon our task, therefore, upon the basis of the assumption that the goal defined by Mr. Montagu represented the accepted policy to be pursued, and that the only proposals worthy to be considered are proposals conceived in the spirit of the announcement of the 20th August, 1927"

#### INDIA'S SENSITIVE PRIDE

The commissioners then quote the text of the declaration, the preamble of the Reforms Act and the instrument of instructions to the Governor-General, and declare: "These, then, are the conditions, deliberately avowed and unswervingly maintained, under which Parliament is about to enter upon a re-examination of the vast Indian problem, and in the development of this purpose the decision as to the immediate future must largely depend upon a just estimate of the result and consequences of the steps already taken. We are well aware that many Indian publicists look askance at the efforts of others to give an account of these matters, however straightforward and sympathetic that account may be. The purely British composition of our own body roused resentment in many quarters in India—a resentment which we did everything in our power to allay, first, by seeking the co-operation of the Indian Committees for whose aid we are deeply grateful and later by suggesting the calling of a representative conference after this report and the report of the Indian Central Committee have been made and published. We have learned enough of India to recognise and to respect acutely the sensitive pride of her sons but we trust that in the pages that follow, inspired as they are by a desire not only to discharge our statutory duty to Parliament but to serve the cause of India's political progress, our Indian fellow subjects will recognise that can our and friendship are close allies and will find an earnest of that goodwill towards India as a whole which we are well assured will govern all impending discussions. Our own task is not to decide but to report to the King Emperor whose commission we hold and to Parliament of which we are members. In the steps that will follow before a decision is reached, there will be a full opportunity or a contribution of the views of every section of responsible and representative opinion in India."

### First Part

#### CONDITIONS OF THE PROBLEM

The first part of the report refers to the condition of the problem and is intended to provide for Parliament in a compendious form a statement of what India is, its vast size and varied population, its conglomeration of races and religions, its social divisions, its economic circumstances and its growing political consciousness. In the preliminary and statistical chapter the commissioners describe the immense scale of India not only in point of area, population and languages but also in point of the growing sense of unity which they attribute to the influence and authority of the British rule, prevalence of English as a general means of communication among educated men and the "growth of a passionate determination among the politically minded classes of all Indian races and religions to assert and uphold the claim of India as a whole to its due place in the world. It would be a profound error to allow geographical dimensions or statistics of population or complexities of religion and caste and language to belittle the significance of what is called the "Indian nationalist movement. True it is that it directly affects the hopes of a very small fraction of the teeming peoples of India, true it may be that its leaders do not reflect the active sentiments of the masses of men and women in India who know next to nothing of politicians and are absorbed in pursuing the traditional course of their daily lives. But nonetheless, however limited in numbers as compared with the whole, the public men of India claim to be the spokesmen for the whole and in India the nationalist movement has the essential characteristics of all such manifestations—it concentrates all forces which are roused by an appeal to national dignity and national self-consciousness"

#### RURAL LIFE

The commissioners next deal with the countryside and towns and a general picture of the rural life based on the Linlithgow report is given and the conclusion is reached that no fair-minded observer visiting the Indian

countryside to day can fail to be struck alike by the magnitude of the work to be done and by the zeal and exertion with which those, whether officials or Minister who have the work in hand, are tackling their stupendous task. But the fact remains and must remain that in a country so extensive as India the effects of any single measure are apt to be so dispersed that they can be discerned with difficulty and that in spite of the progress that undoubtedly has been made and of the great increase in the gross wealth of the country the ordinary cultivator on his tiny plot is still a man of few resources with small means for meeting his limited needs—usually illiterates, though not on that account necessarily wanting in shrewdness—with an outlook confined by tradition and environment and needing above all things that those who consider his future as a citizen should understand something of his life as a man.

The effect which the reformed constitution may already have had upon the rural outlook is considered and the commissioners remark —But any quickening of the general political judgment, any widening of rural horizons beyond the traditional and engrossing interest of weather and water and crops and cattle with the round of festivals and fairs and family ceremonies and the dread of famine or flood—any such change from these immemorial preoccupations of the average Indian villager is bound to come very slowly indeed.

#### URBAN AREAS

For urban areas a slight picture of the contemporary conditions is given so far as these bear directly on the constitutional problem. It is pointed out that as Indian commerce and industry develop the medium-sized country town tends to lose populations while the larger cities continue to grow. On the other hand enormous numbers who work in the industrial towns of India still do not regard themselves as permanent town-dwellers. The conditions under which an industrial worker lives and the vast amount of work still to be done before the general standard of urban housing for the working people in India can be regarded as reasonably good is mentioned.

#### EDUCATED CLASSES.

The chapter concludes with paragraphs on the educated classes and on the rank and wealth. "The Indian educated class presents a feature which must be regarded as unique for here is a body of men, educated, working and on many instances thinking in an alien western language, imbibing with that education, the principles and traditions of western civilisation and polity and yet keenly in the immemorial traditions of the east-.

The commissioners referring to the rank and wealth state that the aristocratic element wields a considerable influence over the whole of India and that large scale manufacturer is being superimposed on ancient fabric of elaborately subdivided and predominantly rural society.

#### COMMUNAL DISCORD.

An interesting chapter on the religious communities of India dealing with Hinduism, Islam, Buddhists, Sikhs, Jains, Indian Christians and tribal religions contains a considered discussion on the essential facts of Indian Moslem differences. "It would be an utter misapprehension to suppose that Hindu-Moslem antagonism is analogous to separation between religious denominations in contemporary Europe. Difference of race a different system of law and the absence of inter-marriage constitute a far more effective barrier. It is a basic opposition manifesting itself at every turn in social custom and economic competition as well as in mutual religious antipathy. To-day in spite of much neighbourly kindness in ordinary affairs and notwithstanding all efforts made by men of goodwill in both communities to promote Hindu-Moslem concord, rivalry and dissension between these two forces are one of the chief stumbling blocks in the way of smoother and more rapid progress. We regard it as an essential part of our task (as in due course it will be a vital concern of Parliament) to make an impartial survey of the guiding facts of this situation before approaching the question of method of its constitutional treatment.

Having studied the distribution of the two chief religions over the provinces the commissioners observe: "One of the difficulties therefore in adjusting representation

in the provincial legislatures—unless for this purpose the religious divisions are to be disregarded—is to devise a scheme which takes due account of Muhammadan predominance where it is found to occur and at the same time provides them adequate representation where the Muslims are in a minority.

Their estimate of the causes of the Hindu-Muslim tension is that in spite of the constant watchfulness of the police authorities and of the earnest efforts of the leaders in both communities to reach a *modus vivendi* the immediate occasion of a communal disorder is nearly always a religious issue. On the other hand when communal feeling is roused on some matter of secular interest religious zeal is always present to stimulate conflict and partisans are not slow to exploit the opportunity.

Having posed the question whether the Hindu-Muslim tension is aggravated or assuaged by the prevailing system of communal representation, the commissioners observe: "There is a long and important history connected with the separate representation of Mahomedans which needs to be carefully studied before detailed proposals for the future can be discussed or put forward. But we may say at once that in our judgment communal representation cannot be justly regarded as a reason for the communal tension we have been describing and there is no solid ground for supposing that if communal representation were abolished communal strife would disappear. The true cause lies deeper and arises from conditions which are far more difficult to change than the mechanics of representation. The coming of the reforms and the anticipation of what may follow them have given a new point to Hindu-Muslim competition. A great part of the evidence given before us was on communal lines and the same cleavage appears in the reports of the Indian committees that sat with us. One community naturally lays claim to the rights of a majority and relies upon its qualifications of better education and greater wealth. The other is all the more determined on those accounts to secure effective protection for its members and does not forget that it represents the previous conquerors of the country. It wishes to be assured of an adequate representation and of a full share of official posts. The true cause of the tension as it seems to the Commission, is the struggle for political power and for opportunities which political power confers. They state themselves to be fully alive to the arguments against communal representation but cannot think that it is an effective cause of this deplorable friction. At the same time they are no less clearly convinced that separate communal electorates serve to perpetuate political divisions on purely communal lines and they have every sympathy with those who look forward to the day when the growing sense of common citizenship and general recognition of the rights of minorities will make such arrangements unnecessary.

#### OTHER MINORITY COMMUNITIES

As regards the Sikhs, the report observes: "The numbers of the Sikh population have rapidly grown in the last thirty years and the concentration of this vigorous element with its strong communal attachment in the single province of the Punjab is a fact of great political importance which requires special treatment. The position of the depressed classes is discussed. The problems of the Anglo-Indian community whose difficulties are described as economic and social rather than constitutional are sympathetically examined. Regarding the Europeans in India the commissioners remark that there can be few cases in history where so small a body of men has brought about changes so widespread and so fundamental.

#### RIGHTS OF WOMEN

There are indications throughout the report that the Commission have taken a particular interest in the rights of women. A separate chapter is devoted to the women of India which begins with the remark: 'No document discussing India's constitutional system and the directions in which it can be developed and improved could omit the women of India today.' After dealing with female suffrage, Indian women reformers and purdah and child marriage the commissioners observe: 'It would be difficult, therefore, to overestimate the value of the improvement which may in time be secured by the changing outlook for the women of India. At present the numbers of trained Indian women in the professions of teaching and nursing are pathetically few. The obstacles to the increase of their number are great, yet mass education

for girls and small children cannot be effective throughout the villages of India until there is a large supply of qualified women teachers. The amount of unnecessary suffering caused to women by the lack of medical and nursing aid is appalling. 'The women's movement in India holds the keys of progress and the results it may achieve are incalculably great. It is not too much to say that India cannot reach the position to which it aspires in the world until its women play their due part as educated citizens'.

In a separate chapter short descriptions are given of each of the provinces in India. The object is to include in this part of the report an account of the character of main areas into which British India is divided and comment is made on the essential differences between Burma and India.

#### INDIAN STATES

The references made by the Commission to Indian States in volume I are in general terms but they state that in their second volume they will discuss the developments which may be hoped in the future relations with Indian States and as a necessary condition of further progress in this direction repeat the statement made by His Excellency the Viceroy in June 1929 that in any proposals that may be made it is essential on every ground to carry the free assent of the ruling princes of India and that any suggestion that treaty rights which the princes are accustomed to regard as sacrosanct can be lightly set aside is only calculated to postpone the solution which is sought.

#### ARMY

The commissioners dealing with the question of the army in India say that in considering the implications of the policy of the August declaration no question is at once more difficult and more crucial than the future organisation, recruitment and control of the army in India. We feel strongly, they say, that it would be a great disservice both to Britain and to India for this question now to be shirked or for a method of treatment to be adopted which is confined to a search for temporary experiments wrapped in soothing generalities which only serve to foment suspicions of the *bonafides* of British policy on the one hand and to divert attention from the ultimate and fundamental difficulties which Indian politicians themselves will have to face on the other.

The commissioners make it clear that in their opinion as regards external defence India has to carry a constant burden of anxiety and provide against actual dangers on her north-west frontier which are wholly without a parallel in the case of self-governing Dominions. Internal security further provides a second consideration which also makes the case of India unique.

A third feature distinguishing the case of India from that of any of the self-governing Dominions is that India presents to the observer an astonishing admixture not only of competing religious and rival races but to races of widely different military capacity.

This volume of the Commission's report includes a map indicating geographically the sources from which the fighting material of the Indian army is recruited. The commissioners observe that the formation of an Indian national army drawn from India as a whole, in which every member will recognise the rest as his comrades, in which Indian officers will lead the men who may be of different races and in which public opinion will have general confidence is a task of the greatest possible difficulty. Strenuous efforts are being made by many Indian politicians to develop a more general sense of citizenship and these efforts have the sympathy of all who sincerely desire to see the growth of Indian unity, but the change is bound to be slow, and the obvious fact that India is not in the ordinary and natural sense a single nation is no where made more plain than in considering the difference between the martial races of India and the rest. As things are, the presence of British troops and the leadership of British officers secure that the fighting requirements of India, though representing only a portion of India's manhood, shall not be a menace to the millions who are conducting their civil occupations without any thought of the consequences which might ensue if the British troops were withdrawn and the Indian army consisted of nothing but the representatives of the Indian fighting races. It

is manifest that the peaceful unity of a self governing India would be exposed to great risks if it relied for the purpose to maintaining and restoring internal order solely upon Indian troops drawn from selected areas and special races.

#### DIFFICULTIES NOT INSURMOUNTABLE

The commissioners observe that in examining the problem of the army in India, the thing that matters is to consider what conditions must be fulfilled before Ministers responsible to the Indian Legislature can undertake the provision and direction of adequate armed forces in India. When that day comes, the organisation of a Committee of Indian Defence, with such Ministers at its head, will not be difficult. At present the proposal to create one has no bearing upon the real problem at all, but it is important for Indian politicians to face the real difficulties of the Indian army question. It is equally important for those who realise these difficulties not to dismiss further consideration of the subject as useless by treating these difficulties as insurmountable. It is a matter of vital consequence that Britain should prove that it is actively desirous of assisting in those changes in the army in India which make in the direction of the ultimate goal and which alone will satisfy political India of our good faith.

#### NEHRU SOLUTION REJECTED

It is not to be supposed that units recruited in Britain and officered by British officers are going to be mercenaries in some future India, where the ultimate authority rests with an Indian Minister for War or with an Indian Cabinet responsible to an Indian elected Assembly. Indian nationalists are, therefore, perfectly right in attaching great importance to army questions in India in relation to India's constitutional development. The solution of the defence problem put forward in the Nehru Report is examined and rejected.

#### EXTERNAL DEFENCE ; A DOUBLE WARNING

Referring to the possible directions of advance, the Commissioners say : "So far as internal order is concerned, this is manifestly the primary task of the forces of a self governing area and the burden of providing obviously and necessarily falls exclusively upon the Indian taxpayer. External defence on the other hand may be viewed in a double aspect. It may be regarded not solely as the concern of India but as affecting the integrity of the whole Empire and as bound up with the general imperial policy."

The Commissioners conclude ; "We are only concerned here to convey a double warning—a warning on the one hand that Britain cannot indefinitely treat the present military organisation of India as sacrosanct and unalterable but must make an active endeavour to search for such adjustments as might be possible, and a warning on the other hand, that Indian statesmen can help to modify the existing arrangement in the direction of self-government only if they too will co-operate by facing the hard facts and by remembering that those who set them out for further consideration are not gloating over the obstacles but are offering the help of friends to Indian aspirations."

### Part II

#### CONSTITUTIONAL STRUCTURE DISCUSSED

Part II of the report discusses the existing constitutional structure including the principles on which the reforms are based, in the provinces, the central machinery and finally the India Office. Referring to the proposal of further periodic Commissions, the Commissioners say that this proposal in the Mont-Ford Report found no confirmation in the language of the Government of India Act and they will have occasion later to indicate their views as to the inexpediency of fixing in advance by statute the dates at which the reconsideration of the constitutional problem should take place.

### Part III.

#### FRANCHISE AND CONSTITUTION

Part III of the report deals with the practical working of the reformed constitution. It examines the working of the electoral system, the provincial constitution and the

central. It surveys the central control over provincial matters, discusses the responsibilities of the Secretary of State and the Council of India and reviews the course of politics since 1920 in the light of the reforms. It is pointed out that, while it was desired that the franchise for the provincial legislature should be as broad as possible, practical considerations such as administrative difficulties and the obstacles created by the widespread illiteracy, have had the effect of limiting the number of voters. The adoption of property qualifications gave a predominance and sometimes a monopoly in vote to certain classes of the population. Thus, whole sections of population came to be excluded from the franchise, chief among these being nearly all women and the general body of the poor. A large proportion of voters are illiterate—in some areas as high as 90 per cent—yet the total number of registered electors is less than the total of adult male literates recorded in the census. It seems to follow that there must be a large body of literates who fail to qualify as electors. The Commissioners express the view that practical considerations of men and money make any very large and sudden extension of the franchise unworkable and administratively impossible. The report next brings out the astonishing size of some of the constituencies of provincial legislatures. Candidates have in general terms come forward freely but with certain exceptions the almost universal practice has been for the candidate to stand for election on his own individual responsibility. Regarding the absence of contact between members and voters the Commissioners observe that the first requisite, if any permanent contact is ever to be obtained, is the introduction of real political responsibility.

The Commissioners observe that the result of the complex character of the Councils has been to produce legislature in which the formation of political parties, in the sense in which they are understood in Great Britain, has been almost impossible and has indeed been rarely attempted. The various groupings, with kaleidoscopic changes of nomenclature, composition and leadership, have not often been on any thing but communal lines, and their communal character has tended to become more rather than less pronounced. The only really well organised and disciplined party, with a definite programme (though, it is true, a negative one) is that of the Swarajists. Only in Bengal and the Central Provinces did they even temporarily achieve their initial object of making dyarchy unworkable and in the provinces they have tended everywhere in varying degrees to be transformed into an Opposition of a more constitutional kind and have not infrequently played a useful part as keen and vigilant critics. With the detachment of most of their original Moslem members, they have grown more definitely into a communal party. Parties originating within the Councils themselves have mostly been small fluid groups, generally communal, with a tendency to amalgamate. But the Justice party in Madras and the Nationalist Unionist party in the Punjab are mentioned as instances of something approaching true, even in not non communal, parties. After the first elections in Madras in 1920, the Ministers were chosen from the Justice party and for the first and the last time in the history of dyarchy throughout India, up to the present, there was a Ministry both drawn from a single party and supported by an assured majority of elected members in the Legislature. There is no province in which the official 'bloc' has not at some time or other been of decisive value to the ministers, and in some provinces there has never at any time been a sufficiently large or cohesive Ministerial party to enable the Ministers to ignore the assistance of their official supporters.

#### LEGISLATURE'S DUAL TASK

These facts have had an important influence on the working of the dyarchic constitution. The theory of the reformed constitution is that the Ministers, without being answerable for the reserved departments or for the policy associated with the reserved side, are jointly responsible to the elected legislature in respect of the transferred half of the Government. It has seemed to the Commission that it has proved impossible to translate this theory into practice. The provincial legislatures were by the nature of the constitution set the difficult task of discharging two different functions at the same time. In one sphere they were to exercise control over policy; in the other, while free to criticise and vote or withhold supply they were to have no responsibility. The ministers have seldom altogether escaped the effect of the instinctive

opposition which is aroused by their association with the Government, with the result that the ties between them and their supporters are weakened. There have also been reactions on the reserved side of the Government, with the result that the theoretical distinctions involved in the idea of dyarchy were blurred in practice. The impulse towards unification of the Government has probably been all to the good from the point of view of efficient conduct of business, but the underlying fundamental conception of the dyarchic system, namely, the complete responsibility of the Ministers in a certain defined field, and in that field only, has become almost hopelessly obscure.

The Commission note the attitude of most of the Councils to law and order to have been critical in most provinces. The police administration has been the target of constant attack sometimes of a general character, but often directed against specific individuals and the handling of particular incidents. Its defence has almost invariably been left solely to the speakers on the Government benches.

In some general comments on the working of dyarchy the Commissioners declare that it would be impossible to say that opposition to the Government has always shown itself to be restrained or reasonable, but they are convinced that much of this irresponsible spirit is due to the effects of dyarchy which they have described. Moreover, members of the Legislative Councils have been engaged in working a copy of parliamentary institutions under conditions which often tend to reproduce the form rather than the substance of the original. If the Councils have sometimes shown themselves indifferent to the practical needs of administrative efficiency, they have also in many instances exerted a useful influence and thrown an informing light upon the proceedings of the Government. Reformed Provincial Councils have actually worked and they have worked better certainly than many anticipated though not entirely in the manner in which the authors of Dyarchy intended.

#### INDIAN LEGISLATURE

The description given by the Commissioners of the working of the centre emphasises the difficulties of applying the western system of parliamentary government to an area so vast and so diversified in its population as British India. The constituencies electing directly to the Indian Legislature cover areas and include populations to which the European legislatures are strangers. The inevitable result is a divorce of the representative from the life of the constituency. Once a member is elected his interest in his constituents fades until the time approaches for him to canvass their votes again. The member tends to become less representative of his constituency than of the active political or communal associations with which he is in intimate contact and his views are moulded largely by the press which is almost wholly in opposition to the Government. In the Assembly, 105 elected members are returned by 1½ million voters. The commissioners doubt whether even this limitation of the electorate has succeeded, at any rate outside some of the large towns, in producing a body of voters capable to any appreciable extent of understanding or even being intelligently interested in most of the policies on which the Assembly has to pronounce. The central executive in India—the Governor-General in Council—is entirely independent of and indeed can seldom count with confidence on a majority in Indian Legislature.

Such a constitutional system might be supposed to have led to wholly irresponsible criticism from the legislature and to complete indifference in the executive, but the course of development has been otherwise. On the one hand while the attitude of the Assembly has often been strongly influenced by its constitutional irresponsibility it has cooperated with the Government in a good deal of constructive work. On the other hand the executive has been far from unresponsive to the criticism and suggestions of the legislature.

#### POSITION AND INFLUENCE OF PRESIDENT

In nothing is the contrast between Westminster and Delhi more striking than in the position assumed and the influence exercised by the occupant of the Chair of the Assembly. He claims and employs powers of interference which would be quite contrary to the stricter limits of Speakership. The commissioners who are all members of the one or the other of the two Houses of British Parliament say they are



bound to make plain the difference lest it should be supposed that the traditions and methods of the Speaker of the House of Commons were being reproduced in the Indian Legislature

#### INFLUENCE OF LEGISLATURE ON EXECUTIVE

The report says that while the extent of the Government legislation and the success in carrying it through without certification is noteworthy, the influence exercised by the legislature on the executive is not less remarkable. It has been directly exercised through putting questions to the Government and the moving of resolutions, through the financial power which the Assembly possesses over the votable items in the budget and through the working of standing committees. The indirect influence of the Assembly on the Government has been of still greater importance. 'Its extent is hardly realised by the members themselves who are inclined to lay stress on the theoretical irresponsibility of the executive. In practice, as officials themselves have borne witness, the Government is greatly influenced by the contact of its members with the selected representatives.'

#### INDIAN POLITICS SINCE 1920

The commissioners end their survey of the working of the constitution by reviewing the course of Indian politics since 1920 in the light of the reforms. This long and interesting chapter describes the political conditions in which the constitutional experiment was carried out, the rise and fall of the non-co-operation movement and the distinguishing features of the first, second and third Central Legislatures. A description is given of the political forces as shown in Bombay and the Central Provinces and the chapter closes with an account of the Indian press and its influence of public opinion.

### Part IV

#### ADMINISTRATIVE SYSTEM

The administrative system is discussed in part IV which contains chapters dealing with the organisation and work of the administrative services, districts and secretariats the judiciary, local self-government and the North-West Frontier Province and other special areas.

The recommendations of the Lee Commission are summarised and an anticipation made of their effect on the composition of the service ten years hence. The commissioners emphasise the importance of personal touch between the officials and the mass of the population and in discussing the position of the district officer they state that in no future they can foresee will the post of the district officer cease to be one which calls for those qualities of integrity and decision which so many of the best kind of public servants have exhibited in the service of India.

#### LOCAL SELF-GOVERNMENT

In their comments on Local Self-Government the commissioners say that they were struck by a common failure to realise the magnitude of the change involved in the substitution of the non-official for the official chairman which was little less than the introduction of a new system. It appears to them that the principles and practice of British Local Self-Government have not been fully apprehended in India. The substitution of an elected for an official chairman was a measure designed to carry out the policy of enlarging the sphere of self-government by removing the official control. In fact it had done more than this: it had radically altered the constitution of local bodies and their relationship with the provincial Government. On a review of the evidence before them, the commissioners are of opinion that the transference of power from the official hands has been followed on the whole, as a general rule, by a fall in the previous level of efficiency. On the other hand, these publicly constituted bodies now show an interest in their work which gives more hope for the future than any more adherence to the standards of mechanical efficiency.'

## FRONTIER PROBLEM

The greater part of the chapter on special areas is devoted to a consideration of the difficult problem of the Frontier.

The Commission's description brings out the real nature of the contrast between the Government exercised in the five administered districts which constitute the N. W. F. Province and in the tribal tracts beyond. While the rest of India has step by step advanced along the road towards self government, in the N. W. F. P. there has been no change. The question of law and order, which in other parts of British India is a domestic and internal matter, in the N. W. F. Province is closely related to the subjects of foreign and diplomatic policy and of imperial defence. The commissioners declare themselves sympathetic with the demand for advance and say that they will return to the difficult subject of the future constitution of this province in their second volume and that they will endeavour to propose a mode of treatment which while recognising the special position of the area and its vital connection with the defence of India, will make such provision as is possible for meeting the natural desire of some of its inhabitants and have a voice in the framing of the laws under which they live.

## Part V.

## PUBLIC FINANCE

Part V is entitled 'The System of Public Finance'. In the present volume a full account is given of the fiscal situation as it is. The Commission secured the service of Mr. W. T. Layton as finance assessor. He has provided the Commission with a report which will be included in the Commission's second volume and on which its proposals are largely based.

## Part VI

## GROWTH OF EDUCATION

The growth of education is the subject of part VI. The commissioners generally concur with the findings of the Hartog Committee. The commissioners explain that they are primarily concerned with education and its organisation in relation to the political and constitutional conditions and potentialities of progress. So far as a mere quantitative increase in numbers under instruction is concerned there has been a phenomenal advance since the inception of the reforms and the figures of expenditure on primary education show an equally remarkable increase since the reforms. The commissioners say that the figures of attendance in the primary classes in the successive years quoted in the Auxiliary Committee's review rule out any sanguine conclusions from a purely quantitative expansion which has undoubtedly followed the reforms. The fact that of more than three million boys who entered class I in schools in British India in 1922-23 only 6,55,101 survived to reach class IV in 1925-26 and that the rest had fallen out by the way or had vegetated in the lower classes without any prospect of attaining even initial literacy is lamentably significant. The corresponding figures in the case of girls show an even more conspicuous waste of money and effort. The commissioners observe that a very serious effort is required to put the system of secondary education on a satisfactory footing and note their opinion that the necessity for university reform can hardly be put too high. In their view, it is now evident that in one respect material to the educational system, namely, devolution of authority and responsibility on local bodies, the action of some provincial Governments was both precipitate and excessive. Literacy is increasing, but a literate India is still a long way off.

## GROUND FOR HOPE

On the other hand, the Commissioners believe that the desire for education is widespread and that the material is excellent and readily responsive to good teaching. The educated women of India are doing their best to break down the barriers of

custom and prejudice. Enlightened opinion no longer tolerates or acquiesces in the abject condition of the depressed and backward classes. The beneficence of the wealthy is ready to be enlisted in the service of education, and the zeal of the provincial Minister in charge of this subject meets with ready support from his colleagues. In these features of the present situation there is much ground for hope and encouragement.

## Part VII

### PUBLIC OPINION IN INDIA

The commissioners devote the last part of the present volume to an estimate of public opinion in India. Interest in politics in India, the report states, is still necessarily confined to a small minority chiefly found in the urban and educated population. All the world over, the peasant, except in a few small countries, is not continuously interested in politics, but the small extent to which political consciousness has developed among the inhabitants of the 500,000 villagers of British India is not caused solely by the conditions which exist in rural communities all over the world. It is very largely due to special circumstances. The idea that the course of government should be effected or controlled by the opinion on political matters of himself and his fellows is wholly foreign to the traditions of the Indian ryot. Communal and sectional feelings are nearest the surface and it is inevitable that they should take precedence over the more general political conceptions. It must not, however, be imagined from this that the Indian peasant cannot be stirred by mass movements, inspired by ideas within the range of his everyday experience.

#### IMPATIENCE OF INDIAN POLITICAL THOUGHT

It is in the presidency cities and in other large towns that active political forces must be looked for. In the last generation India has been swayed at one and the same time by the force of several conceptions which in Europe had followed certain sequences. Indian political thought finds it tempting to foreshorten history and is unwilling to wait for the final stage of a prolonged evolution. It is impatient of the doctrine of gradualness. The Commission declare that, with all its variations of expression and intensity, the political sentiment which is most widespread among all educated Indians is an expression of the demand for equality with Europeans and resentment against any suspicion of differential treatment.

#### MOST FORMIDABLE OF EVILS

The volume concludes with the following paragraph:—"The British people so long accustomed to self-government are bound to sympathise with this movement even though they may deplore some of its manifestations. We are pledged to help India along her way and constructive effort is needed. In our view the most formidable of the evils from which India is suffering have their roots in the social and economic customs of long standing which can only be remedied by the action of the Indian people themselves. They are much less likely to be remedied if blame for their continuance can be put, however unreasonably, on others. We desire to see the forces of public opinion which exists in India concentrated and strengthened for practical work of reform. It is only when difficulties of constructive policy are really faced that the inadequacy of general phrases begins to be realised."

## Vol. II.—Recommendations

The recommendations of the Simon Commission embodied in volume two, which was released for publication on the *24th June 1930*, cover 316 pages. The Commissioners observe:—

"In writing this report we have made no allusion to the events of the last few months in India. In fact the whole of our principal recommendations were arrived at and unanimously agreed upon before these events occurred. We have not altered a line of our report on that account for it is necessary to look beyond particular incidents and to take a longer view." The report was signed on the 27th May and though in a few places individual members suggest different views the report is unanimous and its authors emphasise: "The constitutional scheme which have been

led to propound must be judged as a whole and it must not be assumed that we should be prepared to recommend some part of it without regard to its relation to other parts." The report is divided into twelve parts. The first part enunciates the general principles of the Commission's proposals which show that the central idea of the scheme is evolution towards an All-India Federation based on self-governing provincial units, the Viceroy to remain the Imperial representative in sole charge of such subjects as the Army and the exercise of paramountcy over the Indian States, Provincial Governments to have unitary Governments with all subjects transferred to Ministers, whether elected or non-elected, subject to the reserve powers of the Governor especially as protection for minorities and against discriminatory legislation and for the maintenance of law and Order. The second part deals with Governor's Provinces and recommends enlarged Councils based on existing separate electorates and failing other agreements, keeps the Lucknow Pact arrangement but the franchise is to be trebled for which purpose a Franchise Committee is proposed. A Boundaries Commission is proposed for examining Provincial areas. An elastic constitution is proposed for the Provinces which can grow. Part Three deals with the North West Frontier Provinces and special areas. It proposes a Legislative Council for the North West Frontier Provinces with powers of legislation and taxation, executive responsibility remaining with the Chief Commissioner. The administration of backward areas is to be handed over to the Central Government. Part Four deals with the Central Government and proposes a Federal Assembly of about 280 chosen by indirect election by provincial Council members through a system of proportional representation, the function of the Assembly and the Council of State to remain as at present. The Upper Chamber is also to have indirect election. The Central Executive's relations to the Assembly remain unaltered except that the official element in the Assembly will be further reduced.

#### VICEROY TO APPOINT EXECUTIVE COUNCILLORS

The Central Executive is to be appointed not by the Crown but by the Governor General and may include a member or members from the Legislature. The distinction of votable and non-votable items will remain both in the Central and Provincial Legislatures. It is emphasised that the centre must be kept strong while the experiment is tried in the Provinces. Part five discusses constitutional problems in relation to the defence of India and proposes that an agreement should be reached between India and Great Britain, that the Army earmarked for defence and internal security should be kept as Imperial Army under the Viceroy and that a definite fixed fund be paid to imperial authorities for its maintenance. The Commander-in-Chief is therefore to cease to be a member of the Government of India and will be under the Viceroy. Part Six shows that Burma is to be separated from India but as in India the Army for North-east Frontier would be an Imperial Army. Part Seven indicates future relations with the Indian States and proposes a Council for Greater India to deliberate on matters of common concern. The eighth part is entitled 'Indian Finance' and adumbrates Mr Layton's scheme for financial relation a striking features of which is the raising of a Provincial Fund by the Federal Assembly whose proceeds are to be drawn from indirect taxes for distribution to the provinces on population basis. The Ninth Part stands by the Lee proposals in dealing with the future of the Services and recommends the continuance of security services, the I. C. S. and the I. P. S. on the present basis. Part Ten proposes to centralise control over the High Court. Part Eleven defines the relations between the Home and Indian Government and proposes modification in the Constitution of the India Council. Part twelve gives a general survey and conclusions. The scheme, thus aims at making temporary arrangements at the Centre without responsibility to the Indian Legislature pending ultimate Federation and keeping the administrative machine intact while experimenting in Provincial Self-Government. Referring to their scheme for the provinces the Commissioners say :—"Some may think that the advance we propose is more than prudent statesmanship would commend, but we put our plan forward in the hope that, after close examination, it may be found to be approved and justified."

#### NO PERIODICAL INQUESTS

No recommendation is made by the Commissioners on the subject of Second Chambers for the provinces as there is divergence of opinion among them. The commissioners in their introductory chapter to the second Volume recall the points

which their survey in the first Volume had brought out. They first deal with the mechanism of advance and say — 'The first principle which we would lay down is that the new constitution should, as far as possible, contain within itself provision for its own development. We are profoundly convinced that the method of enquiry at stated intervals has had a most injurious effect on the working of the Reformed Constitution and on Indian political life. Whatever may have been the merits or defects of the constitution proposed as a result of the Montagu Chelmsford Report the time limit of ten years gave it the character of a makeshift affair and the working of the Constitution under the time limit inevitably breeds certain evil. The minds of all were fixed on the future of every community and every interest was thinking of what its position would be under the next constitution. The result was to intensify communal rivalries. Every community tried to consolidate its position. Groups tended to coalesce on communal lines. Parties were aligned in accordance with their views as to the best tactics for securing the next advance. In short the reforms of 1919 did not make provision for steady evolution towards the ultimate objective and to this extent they appear to us to fail to reproduce a feature which is essentially the characteristic of the model on which they were partly based. As far as possible, therefore, the object now to be aimed at is a Reformed Constitution which will not necessarily require a revision at stipulated intervals but which provides opportunities for natural development. It is undesirable and politically impossible to range the provinces in the order of progress and to give by statute greater advances to those at the head of the list, for every province believes itself to be entitled to the advance secured by another. We believe that what is required is a constitution which without doing this, will contain some elasticity enabling adjustments to be made in accordance with conditions actually obtaining in any given province at any particular time.' The Commissioners add that the ultimate form of the Central Government depends on a number of factors which cannot be known at present and while it is possible to frame a Constitution now, the provisions of which will be in harmony with future development, they do not think that within the compass of the single statute provision can be made for continuous evolution of the main Government of India by the method of Indian adjustment and growth. The Commissioners further emphasise that a consideration of the goal of British policy as declared on August 20, 1917 leads them to lay down the second principle that any constitutional changes now recommended for British India must have regard to the future development when India as a whole and, not merely British India, will take her place among the constituent States of the Commonwealth of Nations united under the Crown. They get further strength for their statement by referring to India as one of the nations in world organisation. It must surely be India as a whole which will be involved in the ultimate constitutional scheme whatever may be the differences of climate and physical features and whatever the diversities of race and religion in India. It is not these differences that are reflected in purely arbitrary division between British and State territory. There is essential unity in diversity in the Indian Peninsula regarded as a whole. The first essential for internal peace and prosperity for both parts of India is harmony between them. Added to geographical unity and political unity is the economic unity. Economic forces are such that the States and India must stand or fall together. But with the advent of a measure of popular control at the Centre one-fifth of the people of India is potentially in economic subordination to the remainder. Thus unless provision can be made for reconciliation of divergent interests a number of tariff walls will be perpetuated in areas where fiscal unity is most desirable. The question of defence, communications and social matters all raise matters of common interest. While it is possible that some of these matters might be dealt with by negotiation and *ad hoc* agreements, ultimately a permanent machinery must be set up.

#### A FEDERAL CONSTITUTION

The unity imposed upon India by the external forces of Great Britain is to-day reinforced by an increasing sense of Indian nationality, but nationalism is a force with immense power for good or evil and the task in the future is to utilise that force for constructive ends. Indian nationalism is a phenomenon which cannot be disregarded by the rulers either of British Indian or of Indian States and it is 'only under a Federal System that the sentiment underlying the movement can be given effective expression. But while the ultimate development of Indian polity must be in the direction of a solution embracing all India, the Indian Rulers cannot be com-

pelled to come into closer relationship with British India and the new Constitution should provide an open door so that when it seems good to them, the Ruling Prince may enter on just and reasonable terms. The Commissioners point out that on this point they have not had the evidence of the Rulers and refer to this subject being one for discussion by the proposed Conference and observe : "We are inclined to think that an easier and more speedy approach to the desired end can be obtained by reorganising the constitution of India on a Federal basis in such a way that individual States or groups of States may have the opportunity of entering as soon as they wish to do so."

But apart from the question of ultimate Federal union between British India and the Indian States the Commissioners say that there are strong reasons for reconstructing the Indian constitution on a federal basis. They say : "We recognise that the change from an Unitary to a Federal system is unusual. The general tendency in Federations once formed has been towards increasing centralisation. It may well be asked why the reverse process is recommended to-day. The answer is to be found in the peculiar features of the Indian problem. India is gradually moving from autocracy to democracy. To imagine that the constitutional structure suitable for 45 millions of British people, mainly urban, will serve equally well for 250 millions of Indians spread over a sub-continent and living in half a million villages is unreasonable. If self-government is to be a reality it must be applied to political units of suitable size after taking into account all relevant considerations. Representative Democracy, as it is understood in Britain, depends for its success on the possibility of close contact between the elector and the elected persons. Unless this is secured, it is not real representation at all."

#### PROVINCIAL AUTONOMY

The demand for Provincial Autonomy though due to distinct growth of provincial consciousness is to some extent due to other causes. In the first place, the Central Government is distant. "Delhi is far off." Secondly greater advances conceded to the Provincial Councils as compared with the Central Legislature have strengthened the demand to be allowed full scope in the provincial sphere and, thirdly, there is the wish of certain minority communities to take full advantage of their local majorities where these exist. But in spite of these developments the present provinces are not ideal areas for self-government and the Commissioners are recommending the resetting of provincial areas. They say that Burma is not India and steps should be taken to break the union which does not rest on common interests.

Continuing the Commissioners write. "The authors of the Montague Chelmsford Report stated that the process on which they were engaged was not that of Federalising India but the antecedent one of breaking up the old structure before building the new. They were giving independent life to organisms which would in future be members of a new body. We desire to complete this preliminary process and at the same time to lay down the broad lines of future Federation. The scheme commends complete process of devolution and aims at giving maximum of provincial autonomy consistent with the common interests of India as a whole. Thus independent life will be given to the provinces which will form the nucleus of the new Federal structure."

The commissioners next emphasise that they should not have felt justified in recommending an advance without providing for the broadening of the basis of representation without which the important elements in the population might fail to secure a voice in the affairs of the province to which they are entitled.

#### CENTRAL GOVERNMENT TO DEVELOP ON DIFFERENT LINES

"But while in the provincial sphere, we have endeavoured to give full opportunity for experiment in the application of the British Parliamentary system combined with the restrictions and qualifications under which the full force of Majority Rule is mitigated by the power of intervention vested in the Governor for such purposes as the protection of minorities and the preservation of order, we do not think that the British Parliamentary System with an executive representing a single party and depending from day to day on the vote of the majority of directly elected representatives, is likely to be the model according to which Responsible Government at the centre for India will be evolved. We think Indians have been apt to be led astray by keeping the British Parliament so closely in view and have imagined that the Assembly in Delhi might develop into an All-India Parliament functioning after the model of the Westminster. We consider that a precedent for a Central Government

in India must be sought elsewhere if the ideal to be aimed at is federation to which the Indian States will one day adhere. The process of evolution in British India towards provincial autonomy in matters of internal Government must be thoroughly carried out. The union of constituents such as Indian States with the Provinces of India, the former autocratic and the latter democratic, necessarily involves giving greatest possible internal freedom to the Federal Units. It is only on such terms that there could be hope of achieving unity of greater India. The Central Government becomes, on such a theory, an association of units formed mainly for the purpose of performing certain functions on behalf of all. This body must be composed henceforward on a strictly Federal basis, that is to say, it should be Units of an ultimate Federation rather than popular constituencies that should be represented in it. Thus an attempt to devise now a detailed and final constitution for the Centre would be to ignore the fact that its ultimate form must depend on the action of its constituent parts."

The last principle which the Commissioners enunciate as the basis of the structure they propose is the paramount necessity of securing that through the period during which India is progressing on the road to complete self-Government there must be full provision made for the maintenance and the efficiency of the fundamentals of Government.

#### AMPLE POWERS FOR HEAD OF GOVT.

"However much we may subscribe to the doctrine that Good Government is no substitute for self-Government we must ensure that we do not put forward proposals that will permit of Government being replaced by anarchy. There is first the question of Defence and if the external menace to India's peaceful development is serious, the possibilities of internal disturbances are not less grave. It must be borne in mind that periods during which India has been free from civil strife have been few and of short duration. Nowhere in the world is there such frequent need for courageous and prompt action as in India and nowhere is the penalty for hesitation and weakness greater. The life of millions in India depends literally on the existence of a thoroughly efficient administrative system. While we are prepared to recommend considerable advance towards self-government and while we believe that a sense of responsibility can only be taught by making men responsible for the effect of their own action, we desire to secure that experience is not brought too dearly. The Governor-General or the Governor as the case may be must be armed with full and ample powers. We desire to give the fullest scope for self-government but if there is a breakdown, then an alternative authority must operate unhampered. India is a land of minorities and the only practical means of protection of the weaker or less numerous elements is by the retention of an impartial power residing in the Governor-General and Governors of Provinces to be exercised for this purpose.

#### BOUNDARIES COMMISSION TO BE APPOINTED

The authors of the Joint Parliamentary Report written 12 years ago found that the possibility of rapid advance was greater in provincial sphere. The Report deals in Part Two with Governors' Provinces and from this part begins its definite recommendation based on principles enunciated in the First Part.

The Commissioners first emphasise the need for provincial redistribution and quote the case of Sind and more particularly of the Oriya speaking people.

With regard to Sind the suggestion is made under the existing arrangement for the setting up of a committee similar to the Berar Legislative Committee. The Commissioners emphasise that it is extremely important that adjustment of Provincial areas should take place before the new process has gone too far.

"We therefore propose that the Government of India should set up a Boundaries Commission with a neutral chairman which would investigate the main cases in which provincial readjustment seems called for and should endeavour to work out schemes with a view to seeing how far agreement is possible."

Referring to the demand for constitutional changes in the Provincial Government the Commissioners say:—"We are struck by the fact that practically every witness and every document dealing with the question recommends a change. It is also unquestionable that since the Muddiman Report Indian opinion in favour of some reconstruction has hardened and spread. The division of Governmental function had led to the blurring of boundary lines of responsibility, and it is as sound as well as natural instinct which leads so many of India's public men to call for a further change. This view derives support, which

is more impressive having regard to its source, from every one of the eight Provincial Governments. These eight Governments do not agree amongst themselves as to what should be done. Indeed each of them concentrating upon its own domestic problem, suggests somewhat different solutions but they all agree that something should be done."

The Report then summarises the views of Provincial Governments and of Provincial Committees, the Indian Central Committee and after referring to other unofficial evidence, says — "Our own views in the presence of this multitude of counsel and as a result of our own observations and reflections are as follows. The right method, we are convinced, is to construct a constitutional frame work in which all the provinces can fit but which will leave enough latitude for adjustment to the needs of individual cases and which will enable the constitutional progress of Provincial Governments to be secured by the healthy method of growth rather than by artificial statutory jumps.

#### DIARCHY TO BE SCRAPPED

"Dyarchy as a training ground has this to its credit, that it has brought home to some who had no previous experience of the task of Government the difficulties of administration and the meaning of responsibility. But rigid Dyarchy is a standing challenge which either ranges Ministers against the Reserved Half of Government or exposes them to the charge of being subservient tools of the Bureaucracy, and all the time the growth of real responsibility (which was the object of the adoption of the system) is being hindered. We propose therefore that the Provincial Cabinet should be unitary, i.e., every member of it should be required and prepared to take the responsibility for the whole policy of the Provincial Government. The conduct of the Provincial Administration as a whole will rest with the Provincial Cabinet, the members of which will be chosen by the Governor. We do not say that in every province all portfolios should be held by Ministers who are elected members of the Provincial Legislature but there should be no statutory classification of subjects such as would make it legally impossible for a Minister chosen from elected members to be in charge of any of them. Whether the Governor will include in the Cabinet one or more non-elected persons who would thereupon become ex-officio members of Council and ought to be known as Ministers is a matter which the Governor will decide acting under the superintendence, direction and control of the Governor-General. We conceive that there is likely to be some variation in this respect between one province and another, but such will not be due to statutory discrimination but with the composition of the Cabinet joint responsibility must be accepted. In maintaining their position and in preventing a united front two changes might be made. First, the constitution should provide that Ministerial salaries are not liable to be reduced or denied by a vote in supply, the existing salaries should be altered only by provincial statute. Secondly it should be constitutionally established that the only vote of censure which could be proposed would be one against the Ministry as a whole carried after due notice. Ministers need to feel that they are assured of a reasonable period within which their policy may mature and its results may be judged. At present some of them are so much occupied in maintaining their position by securing temporary support of this or that group of critics or malcontents that it must be very difficult to carry on the main work of Ministerial Government at all. Thirdly, it may be worth considering, as a means in some cases of easing the communal tension, whether without unduly increasing the sum total of Ministerial salaries the appointment of certain minor Ministers or Under-Secretaries in the British sense will not be desirable."

The Commissioners emphasise that the Legislature's control would be over the whole field. "It will be real and undisguised responsibility."

#### NON-ELECTED MINISTERS

As regards non-elected Ministers in the Cabinet ordinarily such persons would be experienced officials but on occasions it might be found to include a non-official, whether Indian or British not belonging to the legislature. Such a non-elected Minister will not—any more than the other Ministers—have any over-riding authority in matters within the scope of his portfolio but that in any matter of gravity sufficient to come before the whole Cabinet the decision will be a joint decision of the Cabinet.

As regards the over-riding powers of the Governor the Commissioners refer to the fact that no Provincial Government and no Provincial Committee has proposed



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that the Governor should invariably be bound in reference to all subjects by the advice of his Ministry. Nor does the Indian Central Committee take that view. "We regard it beyond question that to attempt to introduce such a practice in the present circumstances would be disastrous. We think the Governor should on the administrative side be given statutory power to direct that action should be taken otherwise than in accordance with the advice of his Ministry (though subject always to the superintendence, direction and control of the Governor-General); firstly in order to preserve the safety and tranquility of the province and secondly in order to prevent serious prejudice to one or more sections of the community as compared with other sections. Besides these there are financial safeguards and powers which the Governor must possess in respect of certain classes of legislation. Three other purposes for which the Governor should possess over-riding powers are: firstly to secure the due fulfilment of any liability of Government in respect of items of expenditure, not subject to the vote of the Legislature, secondly to secure the carrying out of any order received by the Provincial Governments from the Government of India or the Secretary of State, thirdly to carry out any duties which may be statutorily imposed on the Governor personally such as duties in connection with some Service questions and responsibility for backward tracts.

#### MINISTERIAL MEETINGS

The Report next describes the procedure at meetings of the Ministry and says it may conceivably sometime be wise for the Governor to preside at every meeting of the Ministry but ordinarily we should expect that much work could be disposed of without his being present. The matter should be left to the discretion of the Governor. The post of Secretary to the Cabinet would be held by a Civil Servant who would not only be responsible for keeping the record but would have direct access to the Governor so that whether His Excellency was present at a given meeting or not he would be kept impartially and fully informed of the course of business. Another observation which the Report makes on Cabinet procedure is to deprecate the present practice of deciding high matters of policy by counting of votes and recommends: "There ought not to be in the new Statute any counterpart of sub-section 1 of Section 50 of the Government of India Act not because if differences of opinion arise, the majority must not prevail, but because it ought to prevail by reason of the minority accepting and taking responsibility for the policy adopted. We may make it clear that for the purposes for which the Governor has statutory power to overrule his Ministry and for those purposes only he should have the power of restoring rejected demands for votable grants and of securing the passage of legislation by certification. But apart from these specific cases, it will be for the Ministry to secure at the hands of the Legislature the adoption of grants proposed by Government for such purposes. Self-Government in the Province can only become a reality when the Governor does not come in like a 'deus ex machina' to make the wheel go round. The chief anxiety which we feel about the scheme as a whole is that for its proper working for a long time to come it would be necessary to secure for the post of Governor a succession of men endowed with all the qualities of tact, judgment, sympathy and courage which have so often distinguished the holders of this high office."

#### MINORITIES AND MINISTRY

The Commissioners reject as impossible any rigid and formal provision for the inclusion of minority communities in the Ministry. Security for the minorities must be furnished by other means.

"In some provinces, we conceive, that a reasonably stable Ministry is hardly possible without the inclusion of Ministers from the main minority groups. In others prudence would dictate the adoption of a similar course. We have indicated that there should ordinarily be a Chief Minister whom the Governor would consult before appointing other Ministers but there should be no requirement in the constitution to make such an appointment as it is possible that in some circumstances the formation of a Ministry from different communities might present less difficulty if there was no Chief Minister and no recognised leadership of the Ministry apart from course from the Governor's special position. It is undoubtedly true that diffi-

culties may arise over the position of an official Minister in the event of a change of Ministry. Generally speaking, there will be no objection to his continuing as a member of the new or reconstituted Ministry, but circumstances may arise rendering this undesirable"

### LAW AND ORDER

The Commissioners next deal at length with the question of Law and Order as it of is overwhelming importance and set out arguments for and against, because the proposals that police should cease to be a reserved subject is a focus of controversy. They say at present it is the prestige of the Security Services which is the chief element in preserving order. But if the police continues to be a reserved subject this necessarily means that dyarchy continues. The suggestion that Law and Order should be a central subject is impracticable. Every branch of the Provincial Government is involved. A reasonably efficient police administration is the condition under which all departments may operate. It is the atmosphere without which departmental activities of the Province cannot breathe. Many who hesitate to recommend transfer of the police would be quite ready to see the transfer of some other subjects at present 'reserved'. If the objects were to avoid all risks, there are grave risks which would be run in the transfer of land revenue or irrigation. But the transfer of other subjects without transferring the police would make matters worse. It would concentrate on the administration of law and order the hostility of all parties in the Provincial Councils who are looking forward to more complete self-government and who find this one matter kept in reserve as a target for irresponsible criticism. We must face the fact that reasonable government in the provinces cannot be achieved without this change. An Indian Minister appearing before us made the observation that if men in his position were not fit to administer this subject they were not fit to administer anything, and we are bound to say that such an attitude is perfectly natural. Law and Order is the first interest of every Indian citizen whether in town or country. The time has come when it ought to be no longer possible to represent or to misrepresent the agents of authority who are so faithfully supplying this first need of civilised existence as the minions of an alien bureaucracy.

### "IF SELF-GOVERNMENT IS REPUDIATED"

The Commissioners point out that while they hold the view that the Statute should not fix the number of Ministers who may be drawn from official or other non-elected sources, Lord Burnham dissenting, prefers to see in the Statute the provision that in every province one or two places in the Cabinet should be reserved for officials though there would be no statutory provision as to the portfolios which these officials would hold. Finally, it is provided, that where there is a break down because no Ministry can be formed or there is widespread refusal to work the normal constitution, it is essential that the King's Government should nonetheless be carried on and, for this purpose, it is recommended that the Statute should vest in the Governor all powers normally possessed by the Governor and his Cabinet with the right of appointing or nominating any member to assist him and to become members of the Legislature. It should be provided that the reasons for declaring that such a state of affairs exists should be reported at once to Parliament and that these special powers should not remain in operation for more than twelve months without the approval of Parliament expressed by a resolution of both Houses. "The insertion of a provision to secure this is no denial of self-government. It is an ultimate resource if self-government is repudiated."

The report next deals with the constitution of the provincial legislature. They say it would be better to extend the normal statutory life of the Provincial Legislature to five years.

### SIZE OF PROVINCIAL LEGISLATURES

As regards the size of Provincial Councils the Commissioners hope that the result of provincial re-distribution would reduce the average size of Governors' provinces. But taking them as they are, immediate increase in the case of the more important provinces to the figure of 200 to 250 members might be sufficient for the present.

## SEPARATE REPRESENTATION

The report deals at length with the question of separate representation and says:—"We are faced as the authors of the Montagu-Chelmsford Report were faced by the indisputable fact, that the Mahomedan community as a whole is not prepared to give up communal representation and would regard its abolition without the assent of that community, not only as the withdrawal of the security which it prizes but as a cancelling of assurances upon which it has relied. Objections from this quarter, more than anything else, accentuated the division over the Nehru Report and this in spite of the very ingenious and persuasive analysis which that report contained of the distribution of religious opinion in Bengal and the Punjab. When the Montagu-Chelmsford Report was written its authors were helped and influenced by the Lucknow Pact but the Lucknow Pact compromise is no longer admitted to hold the field. Yet the subject of communal representation is pre-eminently one which the communities should settle among themselves. Therefore, in the absence of any new agreement, communal representation must be continued. Mere reservation of seats would far from secure the return to the Legislature of Moslems who would be regarded by their co-religionists as authoritative and satisfactory representative. One suggestion made is that minority electors voting by themselves in suitable groups should first select a list of approved candidates from among whom seats reserved for that minority would be finally filled by a vote of a joint electorate. The scheme is outlined in a special appendix.

Major Attlee is of the opinion that the scheme is practicable and meets the reasonable demands of the minority communities but the other members think that the scheme should be further considered.

As for Sikh representation, it is stated that it would be impossible to concede so large a percentage as thirty per cent without injustice to other communities of the Punjab. But if the Sikhs were prepared to exchange separate electorates for reservation of seats on the existing basis this would confer an advantage in that Sikh candidates might hate the prospect of securing additional seat, over and above those specially reserved for them.

As regards non Brahmins in Madras there is no need to continue to reserve seats for them but time is not ripe for the abolition of reserved seats for Maharattas in the Bombay Council.

As regards the depressed classes the Commission reject the plea for separate electorates for them as such segregation would militate against the process, already beginning, of helping them to rise in the social and economic scale. The proposal of the Commissioners therefore is that in all the provinces there should be some reservation of seats for the depressed classes in non-Mahomedan constituencies. The proportion of such reserved seats should be three quarters of the proportion of the depressed class population of the electoral area of a province. Candidates for depressed classes, before they stand for election, would be certified by the Governor as authorised to stand and the Governor can, in case really qualified men are not available from among the depressed classes, certify a non-depressed class person who has shown social interest in their welfare to be elected by the constituency. The Governor is also to have ten years power to nominate representatives of depressed classes if need be up to half of the reserved seats. The idea of the scheme is to prevent the election of ineffectives who are only too likely to be subservient to the higher castes.

As regards European representation it is to be secured by means of separate electorates. The Commissioners attach great importance to the maintenance of the high standard of representation of Europeans so far achieved.

As for Anglo-Indians, the Report prefers election to nomination and the use of the past should make the method of election possible. It is recommended that Anglo-Indians should have two seats in each of the Madras and Bombay Councils, while elsewhere the existing representation is to remain except that in the Central Provinces, Anglo-Indians and Europeans should each have separate seats instead of sharing one between them.

As for Indian Christians, the Report prefers reservation of seats to separate electorates. The present proportion of seats for Indian Christians in Madras should

be maintained, while elsewhere single seats should be doubled and a seat added in Central Provinces and Assam where at present there are none.

Dealing with the question of Mahomedan seats, the Commissioners say —“It would be unfair that Mahomedans should retain the very considerable weightage they now enjoy in six provinces and that there should at the same time be imposed, in the face of Hindu and Sikh opposition a definite Moslem majority in the Punjab and Bengal, unalterable by any appeal to the electorates. On the other hand, if by agreement separate electorates in Bengal were abandoned so that each community in that Province was left to secure such seats as it could gain by appeal to a combined electorate, we should not on that account seek to deprive the Muslim community of its existing weightage in the six provinces where they are in a minority in the same way, in the Punjab, if Muslims, Sikhs and Hindus were prepared to seek election through a joint electorate covering all the three communities, here again, we should still be prepared to see this combined with preservation of the present numerical preparation secured to the Mahomedans by separate electorates in the six other provinces. We make this last suggestion which really involves giving the Moslem community the advantage of a choice between the courses to follow, because we sincerely desire to see all practicable means attempted for reducing the extent of separate electorates and for giving the other system a practical trial.

#### THE OFFICIAL BLOC

The report further deals with the Official Block and urges its abolition but recommends that the Statute should provide for the presence of officials or experts when matters are under discussion in any Committee of a Chamber. They recommend though with considerable hesitation, preservation of University seats and that representation of Indian commerce and industry should be maintained in its present proportions. This applies generally to seats earmarked for mining, planting and trading associations. Only in the case of Assam it is recommended that European seats should be increased.

#### LABOUR REPRESENTATION

As for representation of Labour, the Commissioners expect the Whitley Commission to throw more light on a very obscure problem. The Governor who will nominate the Labour representative is to secure men who really have the confidence of their fellows and have shared their experience and if suitable men are available the Commissioners would like to see the proportion of labour representation not only maintained but increased.

Major Attlee, dissenting, considers that there should be no special representation for particular interests whether Commercial or Labour. He thinks that the former should obtain adequate representation through the general constituencies and believe that the introduction of adult suffrage in certain specified areas such as the Presidency towns and other industrial areas is already practicable and would enable the wage-earners to influence through their votes the return of members favourable to their interests.

Instead of preserving special seats for European Commerce, Planting and Mining interests, he would suitably increase the number of seats representing Europeans generally.

As for land-holders the Commissioners say that they have succeeded in capturing four times as many seats as were specially reserved for them. Special protection, may, therefore be withdrawn but in case landholders are not returned in proportion to the seats now guaranteed the Governor should have the discretion to add by nomination up to the reserved proportion.

#### WOMEN'S SUFFRAGE

The report emphasises that as women's suffrage should be the cardinal part of the Franchise system, women should become members of Legislatures and that the Governor should have power to supplement the number of elected women if he thinks these legislatures should be predominantly elected bodies. The Report proposes that the extent of the supplementary nomination in the hands of the Governor should be limited to not less than 5 per cent and no more than 10 per cent of the total fixed

seats Power should be reserved in the hands of the Governor more particularly for the purpose of ensuring more adequate representation of women and of Labour, if he thinks this is required

#### POWER OF COUNCILS FOR CONSTITUTIONAL REVISION

The report next emphasises the power of the Councils for constitutional revision and lays down that "after lapse of ten years it should be within the power of the Provincial Legislatures to carry a 'Constitutional Resolution' providing for

(a) either changes in number, distribution of boundaries of constituencies, or in the number of members returned by them ;

(b) Changes in the method of election or ;

(c) Changes in the method of representation of particular communities.

If the Resolution is one of the enforcement of which is calculated to prejudice the rights of any community in respect of its existing communal or separate representation, the Resolution would have no effect unless it was supported both by two-thirds of the votes of the Legislature and (is part of this majority) by two thirds of members representing the community affected. The Governor would decide whether this condition is satisfied. If a 'Constitutional Resolution' were passed with this amount of support it would be transmitted to the Governor. If the Governor was prepared to certify that this Resolution in his opinion reflected the general opinion of the provinces and of any community specially affected, his Government would prepare a scheme for transmission to the Governor-General with a view to a decision being taken as to the framing of new electoral rules embodying the changes proposed.

As regards legislative power it is recommended that requirement of the assent of the Governor General to provincial Bills should continue and the Governor's power in relation to assent to Bills and to their reservation of return to the Council should also remain as at present.

As regards finance the distinction between non-voted and voted heads will continue. The Commissioners claim that, apart from the emergency provision, they have put forward the proper scheme of provincial constitution.

The report next devotes consideration to the question of franchise.

The present franchise is held to be too limited from which to build any adequate scheme of representative Government. They refer to a variety of views held in India. Those who advocate an advance are guided more often by what they consider fair to minorities than by conviction of real necessity of advance. Equally many of those who oppose advance represent privileged classes. The Nehru Report's adult suffrage might be the ultimate objective but its immediate adoption is impracticable.

"Our proposal is that a new Franchise Committee or other suitable body under an impartial and experienced Chairman should set up with instruction to frame schemes which would enfranchise about ten per cent of the total population. This would mean treble the present number of voters and would make an electorate of about twenty per cent of the adult population. The Committee should have due regard to the claims of rural and urban areas and should devise such qualifications as would secure as far as possible the same proportion of voters to the population in different sets of qualifications, but by introducing additional qualification such as literacy. It is pointed out in this connection that in Bengal in the rolls of rural electors for the Legislative Council there are only 48.8 per cent Mahomedans whereas for Union Boards where qualification is halved Mahomedan votes are 57.7 per cent corresponding to their population ratio.

As for women it may be possible to add to their present qualifications two others, (1) Being the wife of over twenty-five years of age of a man who has property qualification to vote : and (2) being the widow of over that age whose husband at the time of death was so qualified.

The report next observes : "If the new Act of Parliament is to confer powers of self-governing on the Provincial Councils, it should at the same time provide the means for securing that these Councils will, in time, rest on a wider popular support than they can at present, so that the transferred powers may not remain in the hands of an oligarchy. We propose therefore that after fifteen years, a second Franchise Committee should be appointed to review the progress made and if twenty per cent of the population has not by that time been enfranchised, it should be the duty of this Committee to devise means of accelerating the rates of enfranchisement."

## SECOND CHAMBERS IN PROVINCES

On the question of second chambers in Provinces the report gives without mentioning the names, the views of some who recommend its establishment and others who are for the retention of single chamber and therefore no recommendation is made on the point but whatever view be taken on this matter the Commission proposes an expert revising body to which legislative proposals could be submitted between the report and the third reading stage which is not to deal with matter of principle but is to clear the real effect of proposed legislation and administrative considerations.

As regards the N. W. F. Province the Report maintains the present dual position of the Chief Commissioner and endorses the Bray Report. Referring to the claim of the Frontier people they say: "It is not possible to change the plain facts of the situation. The inherent rights of a man to smoke a cigarette must necessarily be curtailed if he lives in a powder magazine." It is proposed that the Legislative Council to be presided over by the Chief Commissioner should consist of 40 persons, half elected and half nominated, the former to be composed of Khans elected by Municipal and District Board members and of ex soldiers, the latter to give representation to other important elements including representation of minorities such as Hindus and Sikhs. Law and order and land revenue would be excluded from the purview of the Council. There should be three Moslem and one Hindu representative of the province in the Federal Assembly. Financial relations between the administered and unadministered areas would be worked out and even if the Province be found deficit, a grant in aid from central funds should be necessary. Thus the Province will have its own legislature and with powers both of taxation and voting expenditure and means of exerting a very important influence on policy. As for Beluchistan, Delhi, Coorg, and Ajmere-Marawara no change is proposed in the present constitutional arrangement. As for backward tracts these should hereafter be named 'Excluded Areas' and as provinces are not likely to spend money on their uplift the responsibility for these areas is to be on Central Government who should use the agency of Governors for their administration.

## INDIRECT ELECTION FOR CENTRAL LEGISLATURE

The Commissioners in dealing with the Central Legislature, propose that in the place of the present Legislative Assembly there should be continued a new body called Federal Assembly the members of which would not be directly elected by constituencies of voters, but would be mainly chosen on the basis of representation of provinces and other areas in British India, according to population. Provincial Councils would select these Federal representatives by the method of proportional representation, a mode of voting which is quite familiar to Indian Legislatures and which is employed with success and to the general satisfaction in choosing committees from among their number. Any one man or woman who is on the electoral roll of the Province might stand for election to the Federal Assembly for representing the province. If a candidate so returned was already a member of the Provincial Council he would not be disqualified from continuing to serve as such if he was prepared to discharge double duty though his declared views on this matter might of course affect his chances of being chosen. The Allowance for federal members would be charged on provincial funds, and would be non-votable. The election of the provincial contingent would be the first business of every new provincial council as soon as it had assembled and chosen its President. The Federal Assembly would have a fixed life of five years. In the case of the premature dissolution of Council, the provincial contingent serving in the Federal Assembly would not change, but to meet the extreme cases it should be provided that, when the time comes for a new Federal Assembly to be elected, an existing Provincial Council, if elected less than two years before, should be competent to select Provincial representatives to serve at centre for the next five years and the Governor would have the power to extend the life of the Council to seven years to terminate at the end of the next quinquennium. Justifying their proposal for indirect elections, the Commissioners point out that both the authors of the Joint Report and the members of the Franchise Committee had urged indirect election at the Centre, but the Joint Select Committee sitting at Westminster in 1919, and familiar with British methods, rejected the proposal which, indeed, had



been opposed by some members of the Government of India and regarded by others as only a temporary expedient. When the total area to be provided for is so huge that direct election would involve either impossibly large constituencies or an impossible numerous assembly the solution is to be found through election by the elected which is all that indirect election means. The voter votes for the man he trusts and he will trust him for both purposes of provincial work and for selecting federal representatives but the argument in favour of indirect election does not turn solely upon mechanical convenience. If India is to develop on federal lines then representation of provinces as such at the Centre is extremely desirable. All evidence goes to show that, at present, the actions of a member in the Assembly are not and in the nature of things cannot be subject to any real control on the part of his constituents. Moreover, under Mr Lytton's proposal for the constitution of a Provincial Fund, a complete divorce between responsibility for taxation and responsibility for expenditure would be the inevitable result unless the Central Assembly were directly representative of the Provinces. As for proportional representation it is the means which, while securing adequate protection for all important minorities, enables India to get rid of separate communal representation in the Assembly." Membership of the Assembly is proposed between 250 and 280 and will give approximately one member per million inhabitants and when in due course Indian States come into the Federal Assembly its size might grow to three and four hundred.

#### COMPOSITION OF ASSEMBLY

As regards the composition of the Federal Assembly, members of the Governor-General's Executive Council will be its ex-officio members and besides them the Governor-General shall have the power to nominate not more than 12 other departmental officials for expert help, besides provincial representatives. The N. W. F. Province is to send in three Moslems and one Hindu nominated by the Chief Commissioner. One member should be nominated by the Chief Commissioner, Baluchistan, one by the Chief Commissioner Ajmere-Merwara. The Delhi representative should be elected jointly by the Municipal Council and the District Board. The Governor-General should nominate eleven members to represent backward tracts. The Commissioners, while wishing that the selection will not follow strictly communal lines, calculate that supposing it did, then the total number of seats in the Federal Assembly would be divided as follows: Non-Mahomedans other than depressed classes fifty per cent, depressed classes eight per cent, Sikhs two per cent, Mahomedans 28 per cent, Indian Christians and Anglo Indians slightly over and slightly under one per cent respectively and Europeans ten per cent. As regards the vacancies caused by death or resignation it is proposed that the Governor of a province will nominate person who will, in his opinion, best take the place left vacant.

#### COUNCIL OF STATE

Discussing the need for a Council of State in the light of Federal constitution of the Assembly, the Commissioners say that theoretically there is no sufficient reason for the retention of a second chamber apart from the desire to bring to the counsels of the nation elements unlikely to be found in the Lower House, but no demand has been made for its abolition and, in view of its steady influence in the past, the Commissioners recommended its retention with the present powers and composition, but its election is also to be indirect and seats are to be allocated provincially. The life of the Council of State should be fixed at seven years while Legislative powers of the Central Legislature remain unaltered. The Commissioners observe: "We should like to see more extended use made of the method familiar in Britain in the sphere of local Government whereby Acts are passed by Parliament which require to be adopted by local authority before they can come into force in its area. In this way, the Central Legislature could assist in extending desirable reforms, social or others, without obliging all parts of India to advance simultaneously. As regards discriminatory legislation and safeguards for minorities, it is emphasised that the only practical means of providing for them is the retention of impartial power residing in the Governor-General and Governors for the purpose and in laying upon them by terms of their instruments of instructions specific mandate to use this power in all proper cases. The Meston

Award is held to have been unfair to Provinces and it is laid down that while the Central Government should be able to meet its responsibilities the Provinces should command adequate resources and the Federal Assembly, it is proposed, should be a body not only imposing taxation for the needs of the Central Government and of voting estimates and controlling expenditure but would also be a federal instrument for raising the necessary additional funds for Provincial Government to be allotted on population basis.

The powers of initiating measures of taxation for central purposes will, as heretofore, remain exclusively in the Executive and the Governor General's power of certification will remain. There will also be no change in the division between votable and non-votable charges. No change is suggested either regarding the standing finance or public accounts or public accounts Committee.

As regards the Provincial Fund the sources of revenue which would be assigned to the provinces would be stated in the Statutory rule and the result of placing the source of revenue in provincial list would be that it would be no longer available to contribute to the Central Funds save that, in cases of emergency, a surcharge could be levied and, if necessary certified by the Governor-General in respect of any such tax. Also the Central Government would be entitled to impose in an emergency taxes included in the schedule which were not at that time being drawn upon for provincial purposes. It is proposed that legislation necessary for imposition of these taxes should be passed by the Federal Assembly sitting in special session. The Finance Member of the Central Government would introduce it after discussion with an inter-Provincial Financial Council consisting of Provincial Ministers. Any proposal supported by representatives of three or more Governors' Provinces should be laid before the Federal Assembly and the Finance Member of the Province or his representative would be entitled to speak at the special session but not to vote. It would rest with the Federal Assembly in special session to accept or reject the proposals by majority vote and the Governor-General shall have no powers of certification or over-ruling their rejection. It is further stated that statute should provide that no alteration of the rule allocating certain sources of revenue to Provincial Fund could be made with the result of taking out of it a source already allotted except after the passing of a resolution supported by a majority of a representatives of two-thirds of the Governors' Provinces, including N W F Province. Similarly, a rule should provide that distribution of the fund in proportion to the provincial population cannot be altered in favour of another basis without approval both of the two-thirds of members of the Federal Assembly and also of a simple majority of representatives of two-thirds of Governors' Provinces.

The report next discusses the constitution of the Governor-General in Council. The first proposition laid down is that dyarchy at the Centre or any system of divided responsibility resembling dyarchy, is quite impossible as unity in Central Executive must be preserved at all costs. The second conclusion on the subject of Central Executive is that the Governor-General must continue to be the actual and active head of the Government but change is proposed in that responsibility for selecting his Cabinet is now proposed to be placed on the Governor-General in place of the present appointment under Royal Warrant. The principle proposed would leave room for future developments through the operation of constitutional growth while at the same time securing what is practically necessary at the present stage. The present rule that at least three members of the Council should be men with at least ten years service under the Crown in India should not be put in the statute but put in statutory rules subject, therefore to alteration without the necessity of passing a Parliamentary Act. Statutory rules would of course be laid before Parliament and its express approval obtained by resolution. The Commander-in-Chief it is proposed while retaining his rank and precedence would cease to be a member of the Government of India and of the Legislature though he would be consulted on all necessary occasions. The question of defence should be dealt with in the legislature by a civilian and on occasions would fall on the new Member of the Viceroy's Executive Council whom the Report describes as Leader of the Federal Assembly. This position for the Leader of the Federal Assembly is created in order to have a Member of Government without portfolio who would not have heavy departmental work. "Responsibilities which rest all the year round upon the Government of India would be all the better discharged if among the Viceroy's colleagues there was one

who was free to take comprehensive view untrammelled by constant attention to a particular department. It would fall to him to take supervising responsibilities for more adequate presentment of explanations of Government policy to the people of India. We wish to make it plain that suggestions we have been making are not at all intended to affect, by a sideways, the proportions of Indian to British Members of the Viceroy's Council. These things do not depend on statute and should not be made to do so. The distribution of portfolios as at present should be done by the Governor-General and would include Excluded Areas and High Courts which are now to be centralised. The Commissioners record their opinion that it would be hopeful development if the Governor-General, in appointing Members of the Council, selected one or more who have been elected to the Federal Assembly. They would, of course, resign their seat on being appointed to the Council. The Governor-General's Executive Council in the next stage of India's constitutional development cannot in our judgment be responsible to Indian Legislature in the same sense as the British Cabinet is, but the influence of the Indian Legislature, which is already considerable, will remain and grow. It is pointed out that the British system is not the only model and indeed there are many federal systems in the world which differ from the British model. It is also emphasised that it would be contrary to the conditions laid down in the Montague Declaration to ask Parliament to surrender its responsibility for the future modification of the Central Government. At the same time it is pointed out that while the distinction of votable and non-votable revenues and also the power of certification and for making Ordinance, the scheme of the Commission involves no retrogression at the Centre. On the other hand, it is pleaded that the scheme is less rigid. The Lower House in the Indian Legislature has become the most important organ of Indian political opinion and as a matter of practical politics there is no question of going back to the previous stage by providing for official majority or by reducing the powers of the Assembly. The British model is not the only form of Responsible Government. It is possible to conceive various methods whereby the Executive will become effectively responsive to the will of the Indian people. We believe that forces of nationalism in India should be turned into this channel, for federalism is a form of nationalism. A mode of Government must, in fact, be the expression of the political instincts of the people. It will be sometime before it is possible to judge how far it is likely that the party system obtaining in Britain will reproduce itself in provincial legislatures. It may be that the system of groups may be found to be more consonant with Indian ideas. On one point almost every witness that appeared before us agreed, namely, the need for safeguards. All, while demanding advances in Provinces, were insistent on the need for stable Central Government. We believe these witnesses who have been working the reforms in the provinces took a sane and sound view. They realised that an element of stability was needed in the Indian polity, while provincial councils were learning by experience to bear full weight of new and heavy responsibility. One member of the Commission, whose name is not mentioned, suggests the development of committee system into closer touch.

#### THE CENTRAL AND THE PROVINCES

A Chapter is devoted to defining the relations between the Centre and Provinces and power of Central Government over Provinces is stated. Emphasis is laid on the co-operation between Central and Provincial Governments and co-ordination of nation building services through the Council of Agricultural Research and Education and Medical Bureau. The principle regarding Central Bureau of Education may be specially useful in connection with European education and also Anglo-Indian. Central Co-ordination would also be necessary to counteract the tendency on the part of Universities towards extreme provincialisation. The Commissioners also emphasise that it should be rendered constitutionally possible under suitable restrictions to assist Provincial objects from Central Funds and vice versa. As regards the question of financial stability of the Provinces, the Commissioners hold that the grant of special powers to the Governors would hinder the growth of responsibility but a corrective should reside with the Central Government through the right to control borrowing and right of refusing a loan required by the Provinces to meet deficit or to impose discriminatory rates of interest. The Commissioners do not,

however, wish that this power should be used as means of dictating the purpose for which capital expenditure should be increased. While the present classification of Central and Provincial subjects is held generally satisfactory, it is pointed out that the abolition of dyarchy might entail the breaking of essential liaison between the Central Government and the Provinces in respect of that branch of provincial police which works in concert with the Central Intelligence department. The Report, therefore, recommends that the clause assigning police to provinces in item 32 of the schedule to Devolution Rules should be qualified by addition of the words "subject in the case of C. I. D. to such conditions regarding the organisations as the Governor-General-in-Council may determine."

Considerable emphasis is laid by the report on the need to expound Government policy and importance of effective publicity. While not suggesting how the law should be amended in India, the Commissioners put on record their conviction that, unless a corrective is forthcoming in regard to the astonishing lengths to which a certain section of Indian Press has gone in vilifying the administration and attacking its servants, the orderly development of Indian institution is put in jeopardy. The plant of self government cannot be expected to exhibit healthy growth in an atmosphere so poisoned by misrepresentation. The need for fair representation of policy and of facts is not confined to India. The misleading effect on the public opinion throughout the world is no less important to be kept in mind.

#### THE DEFENCE OF INDIA

The constitutional problem in relation to the defence of India is fully discussed in part five. The commissioners regard this as a cardinal problem calling for the exercise of wise and informed statesmanship from the side of Britain and of India alike. The evidence they heard in the course of their Indian tours leaves no doubt in the minds of the Commissioners that, at least for a long time to come, it will be impossible for the Army entrusted with the task of defending India to dispense with a considerable British element, including in that term British troops of all arms. A considerable proportion of regimental officers of the Indian Army and British personnel in the higher command, the rank and file of the Indian Army are not drawn from all over India, but from certain martial races who themselves largely represent the former masters of parts of India, so that the problem of providing them with non-British Command is of quite peculiar difficulty. The Commissioners pronounce no judgment on the Eight Unit Scheme, but emphasise that steady progress should continue to be made in the direction of the ultimate policy which contemplates the building up of entirely Indian forces, but the issues involved are too vital and the practical difficulties too great to justify a precipitate embarkation on the wholesale process of substituting the Indian for British personnel in the Indian army. The Army in India is the only effective barrier between India and the dangers without her gates, and having regard to Indian and Imperial interests involved, to the dangers to be faced and to the composition of the force. Parliament cannot wash its hands of all responsibility for this Army nor do they see how in that event British officers and men could be recruited and called on to serve in India. "There is therefore a dilemma. The declaration of August 1917 stands in its full implication. The British people and the British Parliament have not thought of going back on it. Yet here is a difficulty which appears almost insurmountable, arising from the continued presence of the British element in the Army in India. It is impossible to relinquish the control over the Arms containing this element to Ministers responsible to any elected legislature. Such a transfer could only take place when no part of the Army in India consists of British officers or troops recruited by the Imperial Government. When this will come about we cannot say, but we see no prospect of its happening for very many years". The Commissioners draw pointed attention to the fact that no Indian holding the King's Commission is of higher army rank than a Captain and also to the overriding condition in the words of the Skeen Committee that progress must be contingent upon success being secured at each stage and upon military efficiency being maintained throughout. A higher command cannot be evolved at short notice out of the existing cadre of Indian officers'. Not until the slender trickle of suitable Indian recruits for officer class—and we earnestly desire increase in their numbers—flows in such greater volume, not until sufficient Indians have attained experience and

training requisite to provide all officers for, at any rate, some Indian Regiments; not until such units have stood the only test which can possibly determine their efficiency, and not until the Indian officers have qualified by successful Army career for high command, will it be possible to develop a policy of Indianisation to the point which will bring completely an Indianised Army within sight. Even then years must elapse before the process could be completed."

#### BRITISH TROOPS AND INTERNAL SECURITY

In the sphere of internal security also the necessity for the presence of the British Troops who are neutral guardians of peace so frequently assailed in recent years by bitter communal feuds and sectional commotions, raises another difficulty. It appears to the Commission that it would be quite impossible to contemplate the use of British troops to quell civil disturbances at the unrestricted bidding of Ministers popularly elected and answerable to popularly elected legislatures. Yet another difficulty which cannot be overlooked is that it is impossible for the Crown upon whom the Indian States rely to lose control of the Instrument by the use of which in case of need obligations of the Crown towards the States could be discharged. The objects for which the Army in India exists, says the Commission, are the defence of India against external aggression and the maintenance of internal order. Its strength is not more than is calculated to be necessary for meeting these two emergencies.

#### THE FUTURE

The Commission subjects the consideration of the cost of Frontier defence to a close analysis and says—"India and Britain are so related that the Indian defence cannot now, or in any future which is within sight, be regarded as a matter of purely Indian concern. The control and direction of such army must rest in the hands of the Agents of the Imperial Government, nor does it necessarily follow from this that further progress towards the realisation of responsible Government in British India is barred until the work of defence can be adequately discharged without the help of British officers and British troops. As things are there is a block on the line of constitutional advance. The question is whether there is any other mode of treatment open which would provide adequately for the need of Indian defence and at the same time offer an earlier prospect for some further constitutional advance at the Centre. It seems to us that the only possible method would be to recognise that the protection of the Frontiers of India at any rate for a long time to come should not be regarded as a function of an Indian Government in relation with an Indian Legislature, but as a matter of supreme concern to the whole Empire which can only be effectively organised and controlled by an Imperial agency." The Commissioners proceeding explain the main conditions of settlement: "A solution based on this principle would probably have to be brought about by a definite agreement between India and Great Britain acting on behalf of the Empire. Many points would have to be settled and we can only indicate the general lines that might be found to be practical. Such a scheme assumes that forces composing the existing Army in India would no longer be under the control of the Government of India but would be under an Imperial authority which would naturally be the Viceroy acting in concert with the Commander-in-Chief. It would involve an undertaking by the Imperial authorities of obligations of Indian defence in return for continued provision of definite facilities as to recruitment, arms, transport and other matters and, of course, it would involve an equitable adjustment of the burden of finance which we do not attempt to prejudge but which would perhaps most naturally take the form of an agreement to provide from Indian revenues an annual total sum subject to revision at intervals and with opportunity of sharing in economies. The contribution would be non-votable. So far we are dealing with the ordinary Army expenditure. There is a broad distinction between the cost of expenditure and operations which are the result of tribal activities and must be considered normal incidents of the wardenship of the marches and exceptional expenditure rendered necessary by organised attack of a foreign power. In the former cases the charges should we think fall entirely (as hitherto) on the Indian revenue, while we feel that circumstances may be such in the latter instance as to make the case for spreading the financial burden more widely. If such an agreement could be reached the block to constitutional advance in India which this problem of defence now presents would no longer stand.

FEDERAL ASSEMBLY NOT TO VOTE  
ARMY EXPENDITURE

If the responsibility for the army in India is to rest with the Imperial Government that Government would continue to be represented in India by the Governor-General and the day to day administration of the Army would be as now in the hands of the Commander-in-Chief. The latter would however, cease to be a member of the Indian Legislature and while he remained a colleague of the Governor-General he would cease to be a holder of a portfolio in the Government of India. The Central Legislature as now would not vote the supply for the Army. Appropriations of revenue for this purpose would be authorised by a certificate of the Governor-General, "but we should like to see the constitution of some Committee on Army affairs on which the Central Legislature, and in time we hope, the Indian States also, would have representatives for the purpose of discussing and keeping in touch with military questions. The Commission considers that the obligation to go forward steadfastly and sympathetically with the Indianisation of the army should continue to be honoured in letter and spirit if the army in India were to pass as the Commission suggests, out of the control of the Government of India. The Commissioners appreciate the fact that, in the end, self-governing India can only hope to function with reasonable prospect of success if it can command the military forces of its own and their proposals, say the Commissioners, helps to remove an obstacle to ultimate possession of such forces.

It is indicated that the Commission's proposal for the separation of Burma from India have a bearing on the subject of North-Eastern Frontier of India and the report says : "The danger from this quarter is not comparable in any measure with that which threatens India from the North West. Whatever arrangements are made for the defence against attacks on Assam, the Burma front must be co-ordinated between India and Burma and it would facilitate this if the defence of the North East as well as of the North West Frontier become an imperial function. In contemplating the possibility of transfer of administration of what is popularly known in India as law and order to elected Minister, the Commissioners also contemplate the continuance unimpaired of the British Parliament's ultimate responsibility for maintenance of public peace. It follows, therefore, that the Governments in India, which are exercising devolved powers in this sphere, will have the right to look to the British Government for such measure of military force as may be necessary to enable them to discharge their obligations. It is proposed that demands for Imperial troops for the purpose of quelling the disturbances of peace and maintaining order should require to be put forward by express authority of the Governor of Province himself who would as far as possible satisfy himself as to their legitimate employment. The excessive use of military forces as substitute for Police should be guarded against by requiring financial adjustment between provincial and central revenues. The position would of course be entirely altered once ultimate constitutional stage is reached and British Parliament resigns finally its mantle of responsibility in favour of the Indian Legislature. With the attainment of complete self-Government by India, which such transfer connotes, will pass to her also the entire responsibility for finding such forces as may be necessary to supplement the civil custodians of peace and order. A self-governing India could not as of right demand loan of troops of the Imperial Army for civil purposes nor would the British Government which will control that army under the proposed scheme need any justification for refusing such demand if made. One condition therefore of self-governing India must be its ability to maintain without the aid of the British troops essentials of all good Government, viz., public peace and tranquility.

INDIAN STATES AND DEFENCE

Discussing the relation of their proposed scheme to the hopes of an All-India Federation, the Commissioners say that the Committee on Army Affairs which they contemplate as a part of their scheme would be greatly strengthened if it could include the representatives from the Indian States. "They are just as much concerned to resist the assault upon the integrity of India as those who live in British India and, while they are entitled to rely on the protection guaranteed to them by the British Crown, they have shown themselves willing and eager to recognise and serve the common interest. Advance cannot be hurried. Achievement will come about not by prematurely imposing constitutional devices, however ingenious, but by natural

process of growth. Sooner or later, some such adjustment must come about. If any substance is to be given to the idea of ultimate federation and in order that decisions may not now be taken which might result in misleading hopes being raised, we would urge that this wider aspect should not be shut out of view at the present stage.

### THE FUTURE OF BURMA

The future of Burma is discussed in Part 6 and the Commissioners recommend that Burma should be separated from India forthwith. It is true that she is dependent for much of her prosperity on Indian labour and a considerable part of the capital and enterprise which had developed her trade is Indian, but Burmese sentiment in favour of separation has attained to the over-shadowing of every other Burman demand, and another ground for recommending the separation is the constitutional difficulty of giving to Burma a satisfactory place in any centralised system designed to advance the realisation of Responsible Government in British India. The Commissioners point to the limited character of Burma's representation in the Central Legislature where much of the time is taken up in the discussion of questions which have no practical interest for Burma. It is difficult to get representative Burmans to stand for the Assembly. Moreover, Burma increasingly feels that its own practical interests sometimes conflict with the policy which commends itself to the majority in the Central Legislature.

The institution of a policy of protection of the Indian Industries has inevitably brought into strong relief the contrast in economic interests between Burma and India and it is easy to imagine cases like the Steel Protection Bill which make divergence more considerable still. "As long as the Government of India was an autocratic Government responsible only to British Parliament reasons of administrative convenience might justify the inclusion of Burma in the Indian Empire; but the British Government having announced its intention of establishing by progressive stages responsible Government in India, no one in Burma believes that Burmans would acquiesce permanently in being governed by a self-governing India." A motion in favour of separation was carried in the Burma Council without division. It is only the elements which derive their political inspiration from corresponding Indian sources that would postpone the separation." Discussing the objection to the separation, the Report says that Burma well understands that if, after the separation, she continues to place reliance upon the Army in India she must contribute towards a cost of defence of India. With regard to the effects of the separation upon the public finances of India the Commission endorses Mr Layton's conclusion that separation could furly be effected in such a way as to do no financial injury to either country and to leave Burma with adequate resources for her present needs and balance for development purposes in excess of that she obtains to day. But in view of the vital importance of Indian Labour to Burma and Burma's rice to India and Burma's need for Indian coal and gunnies, the Commissioners recommend special trade convention between India and Burma which would be advantageous to both and without infringing the most favoured nation clause in treaties with foreign countries. The Commissioners suggest that public announcement of separation be made forthwith in order that steps may be taken to give Burma, after necessary enquiries, a constitution almost simultaneously as the new Government of India Act comes into operation. The Statutory Commission cannot itself undertake to elaborate the constitution for Burma because suggestions from authoritative quarters are not yet forthcoming. But the new constitution of the separated Burma, like that of India, should be a stage on the journey to more complete self-government. The Commissioners are clear that certain subjects must continue to be withheld from popular control for sometime and premature efforts on its part to dispense with the help from Britain would only lead to disaster. Burma should have a Governor of its own not subordinate to the Viceroy of India who will cease to have any responsibility towards Burma. The point at which co-ordination of Indian and Burman affairs might be secured is in London and not at Delhi.

### RELATIONS WITH INDIAN STATES

Part 7 of the report deals with the future relations with Indian States keeping in view that the ultimate ideal is some sort of federal arrangement which would embrace every part of greater India. All India problems, whether of war or peace, are really common to the whole of India. Indian Princes have acknowledged that their interest in the future constitutional progress of British India is not that of

detached spectators but of fellow Indians, living in a world which for all its history of deep divisions and bitter rivalries preserves in some respect remarkable cultural affinities and is slowly working out a common destiny.

The Commissioners are glad that their proposal of a Conference to be held after the publication of this report to which the representatives of British India and Indian States would be invited by His Majesty's Government has been welcomed on the side of Indian Princes. In view of the Conference they resist making any concrete proposals as to the federal relation of the States to the constitutional frameworks of the British India. The speeches of the Maharaja of Bikaner and the observations of the Butler Committee are quoted to express the belief of the Commissioners that the essential unity of greater India will one day be expressed in some form of federal association but they hasten to add that in forecasting such development the last thing they desire is to attempt to force the pace. "Federations come about only when units to be federated are ready for the process and we are far from supposing that the federation of greater India can be artificially hastened or that it will spring into being at a bound." The Chamber of Princes has provided valuable means for joint consultation, but the Chamber is not in itself a federal organ for it is exclusively concerned with Indian problems looked at from the side of Indian States. What is now needed is some organ, however rudimentary, which will for some purposes however limited, address itself to the treatment of matters of common concern to the whole of greater India. As a beginning to this the Commissioners make three concrete proposals. Firstly, a serious and businesslike effort should be made to draw up a list of matters of common concern. Secondly, there should be included in the preamble to any new Government of India Act a recital putting on record the desire to develop that clear association between Indian States and British India which is the motive force behind all discussions of an eventual Federal Union and, thirdly, the creation of a Standing Consultative Body containing representatives both from British India and Indian States with powers of discussion and of reaching and recording deliberative results. Joint consultation must always recede anything in the nature of executive or legislative action on federal lines. This Council for greater India, it is recommended, should consist of about 30 members of which ten would be representatives of the States nominated by the Chamber of Princes and the rest drawn from the Central Legislature by the use of the transferable vote, the Viceroy being empowered to nominate some. This Council could appoint a Committee of its own body to sit with the Committee of the Central Legislature for discussing some of the common matters in considerable detail whenever occasion arises. The Council would be presided over by the Viceroy or in his absence, by one of the Committee of four Vice-Presidents, two from the States' side and two out of the contingent from British India. Its discussions would in some cases be in the nature of general debates and in other cases would refer to concrete proposals and it would provide opportunity for taking Indian States into consultations about changes in Tariff, Railway policy, air communications, wireless, opium policy, Indians overseas, etc.

#### MR. LAYTON'S REPORT

Part 8 occupies 80 pages and contains Mr. Layton's survey of India's 'Inadequate revenue', the present financial relation both in provinces and at centre, possibilities of new sources of revenue and the principles that should govern the distribution of revenues. His report is based on two general assumptions: Firstly, that it is both possible and desirable to improve the economic and social condition of India by a substantial increase in expenditure on the nation-building services and, secondly, that it is possible to raise additional revenues for the purpose provided that the incidence of further taxation is adjusted to the capacity of the taxpayers to pay. If additional taxation is to be raised it is necessary that the new constitution ensure (a) that sources of revenue appropriate to their requirements are available for those authorities who have urgent and expanding services to administer, (b) that all parts of India shall make an equitable contribution to the common purposes and (c) that responsibility for imposing additional taxation is definitely laid upon those who will have to incur additional expenditure. The existing financial scheme does not adequately fulfil these conditions, especially as Provinces, with rapidly expanding needs, have sources of revenue which are almost stationary and Provinces are treated unequally and industrial provinces have no power to tax industries. Analysing the elements that compose the central budget Mr. Layton says that surplus is likely to emerge gradually as a result of the growth



of revenue, the chief contributor to which will be customs. Surplus will not however be realised if expansion of trade is checked by internal disorder or external difficulties or if India adopts a policy of extreme protection. Any prospective surplus in the Central Budget will go a comparatively little way towards meeting the needs of the Provinces. It is, therefore, essential to find new sources which are mentioned firstly, increased yield of income-tax by lowering exemption limits by steepening graduation in case of intermediate incomes and by a taxation of incomes invested abroad, secondly, abolition of exemption of agricultural incomes for income-tax, thirdly, national excises on such commodities as cigarettes and matches, and, lastly terminal taxes. A complete scheme of allocation should provide for distribution to Provinces of centrally collected revenues in part according to origin and in part on population basis. Giving details of the scheme, Mr. Layton points out that the duty on imported liquor should be reduced to the standard luxury rate of thirty per cent and Provinces should be given the right of imposing further duties in the form of excise on such liquors in accordance with their excise policy. The revenue from commercial stamps should be transferred to the Centre. One half of the proceeds of income-tax should be assigned to the Province concerned. Supertax would, however, continue to be entirely central. There should be constituted a Provincial Fund fed by specially designated taxes including (a) excise on cigarettes, (b) excise on matches and (c) duty on salt (to be transferred when Central Budget situation permits). The sources of this Fund should be automatically distributed to the Provinces on per capita basis. If all proposals embodied in the scheme are carried out, the effect would be to add nearly forty crores to the revenue of the provinces by 1940 of which 81 crores would have been transferred from the Central Budget. The proposal to set at the Provinces by means of the Provincial Fund is described as essentially a federal idea and the importance of finding means of harmonising the financial policy of States and of British India is emphasised.

The future of the services is discussed in Part 9 and the Commissioners recommend on the basis of the evidence given, that the security service (I. C. S. and I. P. S.) should continue to be recruited upon an All-India basis by the Secretary of State who should have the power to require Provincial Governments to employ these Services in such a number and in such appointments as he thinks necessary. His decision would of, course, be arrived at only after discussion with Provincial Governments of India and would be subject to reconsideration from time to time. The quota of the All-India Officers would vary according to the circumstances of each Province and might eventually disappear. As regards Irrigation and Forests Services, the Commissioners are doubtful whether recruitments should be continued on the All-India basis in their case also.

The authorities in India, should consider this in the light of the general scheme of constitutional reform put forward. At the same time, the Commissioners, after reviewing the evidences on this question, observe that India is not yet in a position to find all personnel which it requires to maintain the administration of these two departments both of which demand not only the highest technical knowledge, but the most resolute administrative zeal. If the European recruitments in these two branches were to cease to-day or were reduced to occasional enlistment of European experts on short time contracts, a risk would be taken which would be on a purely administrative view very hard to justify. The rates of recruitment as between Indians and Europeans for the Indian Civil and Indian Police services were decided upon by the Lee Commission in 1924 and it was contemplated that these rates would be maintained upto 1939 for former service and to 1949 for the latter. The Simon Commissioners say that while it is open to them to vary the recommendations in this regard, they are not prepared to depart from the time table fixed for, they proceed to observe: "The six years that have elapsed since the Lee Commission reported have not lessened the needs for the British element in the Security Services. Communal tension has increased and it has never been seriously denied that the impartiality of the British Officer as between the conflicting communal interests, an impartiality which he owes to his origin, gives him a special value in the administration. It is not that his Indian colleague cannot free himself from communal influences, but the suspicion that he is partial makes it difficult for him to do the needs of the situation. But apart from this the British Officer can for sometime render valuable service to the political progress of India and the Indian political life will surely gain from the advice and service of men in whom the practice of British democracy is instinctive.

As regards the existing members of any all-India Services for which no further recruitment will be made the Commissioners assume that, following the recommendation of the Lee Commission, they will retain all rights of officers of All-India Ser-

vices. It is essential for the success of constitutional advance that the existing members of the All-India Service should remain in the service and that their rights and privileges should be safe-guarded. At the present juncture India cannot afford to lose experienced officials and measures must be taken to discourage the premature withdrawal. The Commissioners, therefore, recommend that the retirement on proportionate pension should remain open without limit of time to any officer who might, under the present rules, have so retired upon coming into force of the constitutional change proposed. If this is done they believe that a majority of officers will be prepared to remain in the service and the lesson of years succeeding 1920 reforms will be repeated. The Commission regards as essential the continued provision of medical treatment by European doctors for European officers and their families. No change should, therefore, be made in the rule by which the Secretary of State prescribes the number of I. M. S. Officers to be employed in the Provinces and the appointments and conditions upon which they shall be employed. It is recommended that special additions to the standard pensions should be given to officers who have borne the heavy strain of Governorship. The protection of the services from political influences is also regarded as essential condition of constitutional advances and the Commission recommends the establishment of a Public Service Commission in such Province and thereby also relieve Ministers from embarrassing demands and set them free to devote themselves to more important and more appropriate duties.

#### THE FUTURE OF HIGH COURTS

Part 10 deals with the High Courts (including in this term Oudh Chief Court and Courts of Judicial Commissioners of Central Provinces and Sind). The Commission recommends that charges of all High Courts should be put upon the Central Revenues and that administrative control should be exercised by the Government of the Central Revenue while proceeds of judicial stamps in Courts of subordinate jurisdiction will remain provincial.

#### THE INDIA OFFICE CONTROL

Part 11 which discusses the relations between Home and Indian Governments recommends that the Governor-General-in-Council, will continue to be subject to the orders of the Secretary of State, who will be responsible to Parliament but in the Province the Secretary of State will have no concern except to keep himself informed by the Governor of everything that may relate to the ultimate responsibility of Parliament. The size of the India Council is reduced and its members will have the qualification of more recent Indian experience than is required at present. The functions contemplated for the Council would be essentially advisory, but independent powers would continue for (1) control of service conditions and (2) control of non-votable Indian expenditure. The Commission says that it does not suggest modification of fiscal convention, but emphasises that the decision whether the will of the Indian Legislature is to prevail is one for the Secretary of State or if need be for His Majesty's Government to take after giving the fullest weight to the views of the Government of India and before the proposal is put to the Legislature. A convention which sets the Government of India and the Legislature in opposition to the Secretary of State is constitutionally unsound.

#### CONCLUSION

In the concluding Chapter, the Commissioners hope that the Indian fellow subjects, after doing them the courtesy of studying the report as a whole, for, isolated sentences may have given the reader a wrong impression, will find that what they have put forward has been written in a spirit of genuine sympathy. They conclude: "No one of their race ought to be as foolish as to deny the greatness of the contribution which Britain has made to Indian progress. It is not racial prejudice, nor imperialistic ambition, nor commercial interest which make us say so plainly. It is a tremendous achievement to have brought to the Indian sub-continent and to have applied in practice the conception of impartial justice, of the rule of law, of respect for civic right without reference to class or creed and of the disinterested and incorruptible civil service. These are essential elements in any State which is advancing towards well ordered self-government. In his heart even the bitterest critic of British administration in India knows that India has owed these things mainly to Britain; but when all this is said it still leaves out of account the condition essential to peaceful advance of India and Indian statesmanship has now a great part to play."

Proceedings of  
The Legislative Assembly  
and  
THE COUNCIL OF STATE  
Jan.-June. 1930.



# The Legislative Assembly

OPENING DAY—20th JANUARY 1930.

The winter session of the Legislative Assembly met at New Delhi on the 20th January 1930 at 11 a.m. in the morning under the presidency of the Hon'ble Mr. V. J. Patel. The House itself had undergone on the non-official side a complete change of outlook. The Swarajist Opposition block which had functioned for six years had disappeared owing to the Lahore Congress mandate and such of them who had still kept to their seats had been hunted on to the non-party back benches. The seating arrangement had placed the Nationalist Party in the official Opposition Benches with Pandit Madhva occupying Pandit Motilal Nehru's seat to the left of the Deputy President, Mr. Yekub. Next came the Independent benches followed by the Central Muslim Party. The attendance, however, was not thin and no less than nineteen new members, mostly officials, were called upon to take their oaths of office.

Since last evening speculation was rife that the differences between the President and the Government over the policing of the inner precincts of the Assembly might take a serious turn. The matter had been so definitely precipitated by the Government as to make a present to Mr. Patel of a vital issue on which to fight for the dignity and rights of the Chair and make it a test vote of the temper of the new House after the Congress men's exit. This eleventh hour present from the Government so altered the programme that the President's original intention to make a statement reviewing his position in the light of the Congress mandate had to be abandoned on this day. Even at two minutes to 11, the police was nowhere visible in the inner precincts and the Assembly staff was postponed in their places.

But as the clock struck 11, uniformed policemen quietly walked into the visitors galleries and seated themselves almost stealthily in their allotted places. The President, as he walked in, had a hurried look round and discovered that policemen were posted. So he took the House into his confidence regarding the cause of the deadlock and ordered that the galleries be cleared and locked. As the Assembly staff undertook this task, some policemen refused to come out and as this matter was about to be reported to the President, who in that case would have probably adjourned the House, the police officers agreed to withdraw their men and the doors were locked. Sir James Crear attempted to have his say, but the President, suspecting that it would be a challenge to his ruling, declined him this opportunity.

## President's statement on Assembly Guard

President Patel on taking his seat rose and made the following statement:—  
“Before I call upon the new members desiring to take their seats to take the oath or make an affirmation, I desire to bring to the notice of the House the very serious situation which has arisen as a result of certain differences of opinion between the Government of India and the Chief Commissioner of Delhi, on the one hand, and the President of the Assembly, on the other, regarding the question of control over the admission of visitors to the outer as well as the inner precincts of the Assembly sector. The Government of India and the Chief Commissioner maintain that they, being responsible for the safety of the President and other members of the House, are entitled to take such measures and post as many policemen in any part of the sector, with such instructions to them as they consider necessary, and that they are the sole judges of the adequacy of the protective measures in that behalf. The President of the Assembly, on the other hand, is of opinion that his authority within the precincts of the Assembly sector is so supreme and his control is so complete, that his word as to the

adequacy of protective measures is to be taken as final and that no measures which have not his previous approval could be put into force within the precincts of the sector.

"Last night, after the clock struck nine, I received an urgent communication from the Chief Commissioner of Delhi with a copy of a series of orders which had been issued by him to the police. I wish I could read them—these orders—to the House, but as the communication was marked confidential I refrain from doing so. Simultaneously, I received the following communication from the Home Member :—

Immediate. Dear Mr. President The Chief Commissioner of Delhi has referred to the Government of India on certain questions relating to the police arrangements regarding the protection of the Assembly Chamber, its precincts and the Council House Building, which, I understand, he discussed with you yesterday. The most essential of these relate to the proposals for checking the admission to the Council House building and the presence of police, including uniformed police, to the public gallery. The questions, after discussion, have been referred to the Governor-General and with his concurrence the considered view of the Governor-General in Council is that while supporting to the farthest reasonable limits the hon. President's dignity in consultation with him with regard to the arrangements for protecting the Assembly and the public resorting to its precincts, if the hon. President is not prepared to concur in the advice of the local Government which in law is responsible in essential matters of provision for protection, the Government must take the final responsibility for the adequacy of the protective measures, on which point the authority immediately responsible is the best judge. The Chief Commissioner of Delhi has accordingly been instructed to carry out his proposals in respect of the two essential points which I have mentioned above. I consider it, however, important that we should discuss the position personally, and I shall be glad to meet you any time to-morrow convenient to you before the Assembly meets.

'Yours sincerely, (Sd) J. Crerar.

Mr. Patel continued :—"The communication speaks for itself and needs no comment. As hon. members are aware, the President of the Assembly had appointed the Watch and Ward Committee, under the chairmanship of the Leader of the House to consider the whole question of the precautionary measures to be taken and advise him thereon. The Committee had recently submitted their report and the President has passed certain orders on their recommendations. The proposals which the Chief Commissioner of Delhi, with the full concurrence of the Government of India, has put in operation from to-day, after full knowledge of the orders passed by the President on the recommendations of the Watch and Ward Committee, are in deliberate defiance of those orders and constitute a challenge to the authority of the Chair. To take only one instance, the President has directed that the galleries shall be guarded by the Assembly staff and that there shall be allowed only one policeman in plain clothes in the public gallery in accordance with the practice of the House of Commons, while the Chief Commissioner has posted four policemen in uniform in the public gallery. I have carefully studied a large number of the orders issued to the police by the Chief Commissioner and have no hesitation in saying that, taken as a whole they seek to substitute the authority of the Government for the authority of the Chair in the whole Assembly section, including the galleries.

"In these circumstances, I have no other course open to me but to direct that all galleries, except the press gallery, be forthwith cleared and closed and that no further passes be issued to strangers until further orders. I hope the authorities concerned will in the meantime reconsider their position and I will also consider what further steps I should take to vindicate the authority of the Chair. I express my regret to those who might be inconvenienced by this order."

The President was applauded by the Nationalists, the Independents and some members on non-party benches. It took some five minutes for the galleries to be cleared of all visitors and members of the Council of State and the policemen. Sir Arthur Froom showed some hesitation as he probably thought the President's order did not apply to members of the Upper House who generally sit in the galleries of the Assembly without passes but finding that everyone else had left, he too did so,

Dr. Suihawady asked whether the orders applied in the case of members of the Upper House as well. The President: Yes.

The galleries were then locked by the Assembly staff.

Sir James Cierar asked—May I with all respect ask to be allowed to make some observations?

The President: Will the hon. member kindly resume his seat? With regard to what does he wish to make his observations?

Sir James Cierar: With regard to the statement which you, Sir, have just made.

The President: I have passed my order and it cannot be questioned.

The new members were then sworn in and questions were answered for one hour.

#### ATTEMPT ON VICEROY'S LIFE

After questions, Sardar Gulab Singh, with the special permission of the Chair, moved a resolution not appearing on the ordinary agenda—

"This Assembly heartily congratulates their Excellencies Lord and Lady Irwin on their miraculous escape from the dastardly attempt to blow up their train near Delhi, and this House very strongly condemns this insensate outrage."

Sardar Gulab Singh said that Lord Irwin would go down to history with Messrs. Hoover and MacDonald as a great peacemaker. The House should show that, while condemning the present system of Government, it also condemned anarchy.

Sir James Cierar felt special pleasure in associating himself and the Government with the resolution. He recalled the Viceroy's message published in the press in reply to hundreds of messages of sympathy, showing that Indian public opinion realised that those who resorted to such outrages were the worst enemies of their own country. (Applause.) Sir James Cierar concluded: "I can only add, having regard to my own responsibility in the matter, no effort will be spared to bring the perpetrators of this senseless crime and outrage to justice."

Mr. Yakub, Deputy President, said that no Viceroy, with the probable exception of Lord Ripon had been so popular as Lord Irwin.

Sir Zulfikar Ali Khan said that if a more serious thing had happened to the Viceroy, the stigma on the character of the Indian people would have been indelible.

Pandit Malaviya, leader of the Nationalists, joined in the expression of condemnation of the dastardly attempt on the Viceroy's life and said that such attempts would be condemned whoever was the person aimed at. That it was aimed at the Viceroy, who had made himself popular, added to the strength of the condemnation.

Sir Darcy Lindsay, on behalf of the European group, and Mr. Fazal Rahimtulla on behalf of the Independents, expressed similar sentiments, the latter specially welcoming the reassuring statement of the Government that there would be no swerving from their path because of this crime and hoping that the Government would do their best to tackle the root causes of such crimes, namely, unemployment and poverty.

The President wholeheartedly associated the Chair with the observations of the previous speakers and put the resolution, which was adopted.

The President then read a list of Bills which had been assented to by the Acting Governor-General. These included the Child Marriage Register Act.

#### SALE OF GOODS ACT

Sir B. L. Mitter then presented the report of the select committee on the Sale of Goods Act. The opinions received showed that the Bill had met with almost unanimous approval in legal and commercial circles. The object, therefore, for which the committee was appointed had been amply justified. After considering the opinions received the committee observed:—

"We find ourselves in agreement with almost all the provisions contained in the Bill. We entirely approve of the scheme followed in the Bill in adopting as far as possible the provisions of the English Sale of Goods Act, 1893, in arrangement as well as wording. That Act has met with uniform approval and has stood the test for more than a third of a century. It has been adopted in most of the Overseas Dominions and Colonies and also in the United States of America."

We feel that in commercial transactions there ought to be as far as possible uniformity of law in countries which have dealings with one another."

#### INDIAN CONTRACT ACT

The Law Member then presented the report of the Select Committee on the Bill to amend the Indian Contract Act 1872. The Committee stated —

"This Bill is supplementary to the Indian Sale of Goods Bill. On the lines of the amendment made in clause 27 of that Bill we have substituted the words 'as mercantile agent' for the words 'where an agent' to security of goods'. We have also substituted the words 'documents of title to goods' for the words 'bill of lading dock order thereby represented'. As the expressions 'mercantile agent' and 'documents of title' are not defined in the Indian Contract Act 1872, in which this section will remain, we have added an explanation stating that those expressions will have the meanings assigned to them in the Indian Sale of Goods Act, 1930.

"For the reasons stated in the note to clause 29 in our report on the Indian Sale of Goods Bill, we have inserted a new section as 178A to provide for the case of a pledge by a person in possession under a voidable contract."

#### INLAND STEAM VESSELS ACT

Mr K. C. Neogy presented the report of the select committee on the Bill further to amend the Inland Steam Vessels Act, 1917.

It was a unanimous report signed by Sir George Rinty, Messrs Jannadas Mehta, Sarabhai N. Haji, S. O. Mitra, T. A. Chalmers, J. Y. Philip, M. A. Azim, Ghaznafai Ali Khan, Abdul Matin Chaudhury, Gaya Prasad Singh, K. C. Neogy, and M. S. Shesha Iyengar.

#### TRANSFER OF PROPERTY ACT

Sir B. L. Mitter introduced the Bill to amend the Transfer of Property (Amendment) Act, 1929. Explaining the objects and reasons, he said:—"The formal amendments contained in this Bill are designed to carry out the intentions of explanation I contained in section 4 of the Transfer of Property (Amendment) Act, 1929. The difficulties sought to be met by the latter part of the body of the explanation are not confined to cases where registration is effected under subsection 30 of the Indian Registration Act, 1908, but they are also encountered when an instrument relating to scattered properties is registered in the ordinary manner. Further, it is possible under the present explanation that a subsequent transferee may make a genuine search in the offices of all the sub-districts in which the property he seeks to acquire is situated, and find no record of a transfer, but may still find himself saddled with notice of a transfer by reason of a memorandum relating to some other property, included in a previous transfer along with the property he is interested in, having been filed in some distant sub-district. The Bill is intended to remove these anomalies."

Sir Hugh Cocks and Mr Kelkar were appointed to the Cantonments Accommodation Bill Select Committee.

#### MINIMUM WAGE CONVENTION

The discussion was then resumed on Sir Bhupendra Mitra's motion for non-ratification of the draft convention regarding the machinery for fixing minimum wages in certain disputes.

Pandit Hriday Nath Kunzru moved an amendment that the non-ratification should hold good pending the report of the Labour Commission. He urged that the Labour Commission's report would be extensive and its recommendations would take at least two years to be considered by the Government, but they could not modify the convention earlier than ten years since its introduction. Hence they should not dispose of this convention finally but let the matter be kept alive and be enabled to be brought up at a subsequent date.

Mr. Matin Chaudhury opposed both the resolution and the amendment. He said the issue was not affected by the Whitley Commission.

Sir Bhupendra Nath Mitra accepted Mr. Kunzru's amendment committing the House to the resolution pending the Whitley report.



Mr. Martin Chaudhury pressed his opposition and divided the House which accepted Su B N Mitra's amended resolution by 47 against 3 votes. Most Central Muslims remained neutral. The House then adjourned.

## Report of the Watch and Ward Committee

In view of the President's orders for clearing the galleries of the Assembly as a result of the serious difference of opinion between him and the Government on the question of the policing arrangements, the following report of the Watch and Ward Committee, which was released on the 20th January for publication, may be read with interest owing to its importance. The Committee said regarding the control of admission of visitors —

"We recommend that a register of visitors should be introduced, which should be kept by the Assembly staff at the two main staircases leading to the galleries. Visitors, on entry, should surrender their cards, which should be previously signed by them and sign the register on leaving the gallery. Visitors should be given back their cards and each time they come in they should surrender their cards and sign the register. We consider that this proposal will serve as an additional precaution and will assist the Assembly staff to regulate and control admission to a great extent. We further recommend that the visitors to the public gallery should be admitted by the staircase near the notice office and those to special galleries by the staircase on the north-west side of the Assembly sector, which will make for smoother and better control. We further suggest that the issue of tickets of admission should be strictly limited to 10 per cent in excess of the seating accommodation available in the galleries.

"We now come to the second item of our terms of reference. For this purpose we propose that the Assembly sector be divided into two distinct portions (A) the inner precincts, which include the floor of the Chamber itself, the lobbies and the galleries and (B) the outer precincts which comprise the entrance to the Assembly sector, the outer corridors and the approaches to the inner precincts. In regard to the inner precincts we are in general agreement that a separate Assembly establishment of door-keepers and messengers should be entertained for the purpose of checking admission, controlling the ingress and egress of visitors to the galleries, showing them to their seats and dealing with minor forms of disorder.

"We feel, however, that we are not in a position to make any recommendations as to the method of recruitments of service etc., of this staff, but we consider that a nucleus of such an establishment should be entertained as soon as possible. We also feel that we are not in a position to estimate with any degree of accuracy the number of men required for the proposed staff. On a rough estimate we think that 12 men would be required at the approaches to the inner precincts, four men at the barriers and four to five men for the several galleries, making a total of from 20 to 22 men in all. This establishment should be under the control of the secretary. We think that the Legislative Assembly department is in the best position to put forward definite proposals and we have accordingly requested Mr. S. C. Gupta to draw up a scheme which will be examined by us in consultation with him and submitted in due course.

"We have next considered the demarcation of functions between the proposed Assembly establishment and the police. As we have already stated, we think that the general control of the inner precincts should be placed entirely in the hands of the Assembly establishment, while that of the outer precincts and the roof should be vested in the police, who would intervene in matters relating to the inner precincts only when requested to do so by the President, and that when they perform those duties there should be a convention established that they are acting upon instructions received from the Chair. In making this recommendation we need hardly emphasise that there should exist the closest co-operation and co-ordination between the police and the authorities concerned, both in regard to the inner and outer precincts. While we think that our proposals, if properly put into effect, will be all that is ordinarily required, we desire to suggest that it might be advisable as an additional precaution, to have the assistance of one or two plain clothed C. I. D. men associated with the Assembly staff in the public galleries only. We are, however, definitely of opinion that no plain clothed men should as a rule be allowed into the members' lobbies. We also think that it might be found necessary on special occasions, such as when the Governor-General addresses the

House, to make additional arrangements for protection. In such cases we consider that arrangements should be made separately as each occasion arises."

*Sir James Crerar* in a separate note said :—"The events of the last Delhi session have emphasised the necessity of taking and maintaining the most complete precautions possible for the safety of members and the public. It would, in my opinion, be inadvisable to propose any measures that might have the effect of impairing the responsibility of the police and the local Governments concerned or their means of discharging it. The structure and relative situation of the various sectors constituting the legislative buildings at Delhi render necessary some form of unitary control, and it is essential that the police should be in a position to intervene promptly for the prevention of serious disorder or cognizable offences and to deal with them effectively when they occur. The structure and location of the legislative buildings at Simla to some extent simplify the problem, but the same general considerations apply there also.

"I consider that the suggestion made by a member of the committee (Mr. A. H. Ghuznavi) has much to commend it, viz., that the functions of the police should continue to be discharged on the present basis until the proposed Assembly establishment, with the duties he would assign to it, has been set on foot and has proved in practice to give satisfactory results. When these conditions have been fulfilled it may be advantageous to review and define the conditions under which the police duties are carried out in the internal precincts of the Assembly.

"I strongly endorse the view expressed as to the necessity for the closest co-operation and co-ordination between all the authorities concerned in the matters referred to the committee."

Mr. E. L. Price supported Sir James Crerar's note and quoted from a letter of the Assistant Sergeant-at-Arms of the House of Commons the following sentence :—"The responsibility of the police for the safety of members of the Assembly in the building is the same as for the safety of all members of the public, whoever they may be." Messrs. K. C. Roy, K. C. Neogy and Gay Prasad Singh also appended separate notes.

**21st. JANUARY.**—On this day there was still some excitement in the lobbies over yesterday's incident—the clearing of the galleries of the House under the order of the President, who considered the posting of police, under the instructions of the Chief Commissioner of Delhi, in the inner precincts of the Chamber as a challenge to the authority of the Chair. The excitement was only intensified by the speculation that the President might make a statement to-day explaining his position in view of the Congress Party's boycott of the Assembly. This statement was to have been made yesterday, but the controversy over the posting of the police in the galleries had led to its being postponed.

Just before the Assembly met Mr. Arthur Moore (European Group) handed into the President notice of the following adjournment motion, amounting to a vote of no-confidence in the Chair :—

"To move the adjournment of the House in view of the situation caused by the President's attitude towards the safety and protection of its precincts, his closing of the public galleries for an indefinite period, and the consequent lack of confidence in the Chair among the members."

Apparently Mr. Moore had given notice of the adjournment motion without consulting the support that might be forthcoming for it, for it took the Government by surprise and an emergency meeting of the Assembly members of the Executive Council decided not to back it. So Mr. Moore had to withdraw his motion.

#### Mr. Patel on Boycott Resolution

Mr. Patel, then made a comprehensive statement explaining his position with reference to the Lahore Congress resolution advocating the boycott of the Legislatures. Mr. Patel said :—

"I think I owe it to the House, and also to my constituency and country, that I should make a statement explaining my own position as President in reference to the recent resolutions of the Indian National Congress advocating boycott of the Legislatures. The well-established principle which governs the conduct of the Speaker of the House of Commons in such matters has been described thus :—

"The man who occupies the high office of Speaker is outside and above all party conflict. Like the Sovereign, the Speaker as such has no politics. It is true that

he is returned to the House of Commons originally as a partisan. It is true also that it is as a party nominee he is first appointed to the Chair—for the Speakership remains one of the principle prizes of political life—but as he is being ceremoniously conducted by his proposer and seconder from his place on the benches to the Chair, he severs the ties that bind him to his party. He doffs his vivid party colours, be they buff or blue, crimson or yellow, and wears instead the white flower of a neutral political life, and once in the Chair he is regarded as the choice of the whole House, from which his authority is derived and in whose name it is exercised. It is said that after his appointment he never enters political club."

"In pursuance of the resolution of the Indian National Congress the Swaraj Party, which was then a distinct party within the Congress, set up candidates at the general elections for the Legislatures in 1923. I was elected to this House on the ticket of that party and accordingly took my seat in January, 1924. In August 1925 the Swaraj Party in the Assembly elected me as their nominee for the office of President of the Assembly. On my election to the Chair and following the centuries-old principle of the House of Commons described above, I made the following declaration from the Chair to which I was called—

"From this moment I cease to be a party man. I belong to no party. I belong to all parties. I belong to all of you and I hope and trust my hon'ble friend, the Leader of the Swaraj Party, will take immediate steps to absolve me from all the obligations of a Swarajist member of this House, if indeed it has not been done by implication in consequence of my election to this Chair."

"In March, 1926 the Swaraj Party decided to walk out in a body from the Assembly and some members expected me to participate in the walk-out on the ground that having been returned to the Assembly on the Swaraj Party ticket, I was bound to do so by the mandate of the party. At the risk of being misunderstood, I declined to join the party in their action and for the first time established a convention that the President of the Assembly, like the Speaker of the House of Commons, is above all party politics and therefore not bound to accept the mandate of the party to which he belonged before he was elevated to the Chair.

"The end of 1926 saw a general election again. Some endeavour was made on that occasion to set up a Congress candidate in my constituency and I was also asked whether I would be willing to accept the Congress Party ticket. I thought that as I had made up my mind to serve the Assembly again as its President if I was elected, a safer course for me was to stand as an Independent candidate in order to guard against any future misunderstandings. I accordingly did so and was returned unopposed.

"When the election of the President took place the Leader of the Congress Party, among others, proposed me to the Chair and I was unanimously re-elected. I made the following declaration on the occasion;—

"From the brief experience that I have had as the occupant of this Chair, I have found, as I stated when I was addressing you last, that any one who aspires to fill this great office with any hope of success must lay aside all that is personal, all that is of party, all that savours of political predilection, and learn to subordinate everything to the great interests of the House as a whole. Not that it is possible for any one to divest himself so completely of the influence of his political associations and the teachings of his lifetime. He may have his political opinions, he may retain them, he may have his prejudices, but in his general decisions and in his treatment of individual members, no trace of them should find any place. I do not know whether I have in the past lived up to that ideal, nor can I say whether it would be possible for me to live up to that ideal in future. All I can promise is that I shall ever endeavour, to the best of my capacity, to regulate my conduct in the Chair on the lines which I have just indicated."

"Since the resolution of the Lahore Congress many friends are anxious to know how I propose to act on this occasion. I am making this statement to-day to set at rest all speculation on the question, and to reaffirm and emphasise the principle that the President is above all parties and he would be unworthy of the confidence reposed in him if he were to allow his conduct to be influenced by any party in or outside this house. I venture to think that this principle must and will hold good under any form of Government.

"In these circumstances I feel I would be nullifying and, indeed, destroying all the work it is claimed I have done during the last four years and more were I to tender my resignation in obedience to the mandate of the Congress.

"It has been suggested to me that the absence of the Congress Party in this

House would materially handicap me in the discharge of my duties to the best interests of the country I am afraid I am unable to agree with this view, for I have no reason to think that other parties in the House, as also those who would replace the Congressmen who have resigned, would not accord the same support to me as I have been fortunate enough to receive from the House as a whole during my term of office. In any case, the moment I find that the holding of this office under the altered conditions is inconsistent with the maintenance of that absolute independence and impartiality—the two essential attributes upon which at once the influence of the President and the confidence reposed in him are founded,—that moment you will not find me in this Chair.

"Whilst, therefore, I am quite clear that it would be wrong, and indeed dangerous for any President to act on the mandate of any political party in or outside this House, I am equally emphatic that circumstanced as India is, a situation might arise when in the larger interests of the country the President of the Assembly might feel called upon to tender his resignation with a view to returning to a position of greater freedom.

"Such a situation had I thought arisen when His Majesty's Government announced the personnel of the Simon Commission and the overwhelming majority of my countrymen decided to boycott the Commission. I was then seriously contemplating resignation with a view actively to participate in the boycott agitation. I was, however, advised that I would be serving the cause of the country better by my retention of my office than otherwise. I accepted the advice and issued a statement to the press accordingly. That statement I to-day lay on the table for the information of the honourable members.

"Irrespective of the general situation in the country I had, on several occasions in the past, contemplated resignation because of my fundamental differences with the Government of India on matters of great moment. I was on each occasion advised that so long as I retained the confidence of the House as a whole I should continue to serve it leaving any party dissatisfied with my conduct to table a vote of no-confidence. To be frank, I should not have continued so long in this Chair had it not been for His Excellency Lord Irwin, who on more than one occasion by his timely intervention has averted a crisis in the past.

"I have given my most anxious consideration to the situation in the country to-day arising out of the Viceregal announcement and the resolution of the Lahore Congress, and I have come to the conclusion that in the interest of the cause itself, apart from other considerations, it is necessary that I should continue to occupy this chair at this juncture.

"I have always maintained, and still maintain, the change in the Congress creed in favour of complete independence notwithstanding, that the relations between Great Britain and India can only be finally adjusted on the basis of India's right to Dominion Status being acknowledged without any reservation and the method of giving effect to that decision being examined in some joint and equal conference between the plenipotentiaries of the two countries, and that the greater the delay in finding a solution of the problem on these lines the lesser would be the chances for a favourable atmosphere for the purpose and its general acceptance in this country.

"I have missed no opportunity during the last four years that I have been in this Chair to press this view as strongly as I can upon the attention of the authorities concerned.

"I am aware that the Viceregal announcement does not go so far but viewing the situation as a whole I am bound to admit that it represents genuine and honest attempt on the part of a sincere Viceroy, anxious to find a way for peace in the most difficult circumstances.

"The country no doubt remains dissatisfied at the announcement and it would be a grave mistake to under-rate the strength behind the Congress. I have endeavoured in my own way to bring about a rapprochement. I confess I have failed; but perhaps it is not still impossible, by mutual give and take, to evolve a formula acceptable to all parties. I only hope that it is not already too late. In these circumstances, and holding the views I do, I have decided to continue to serve the House and the country as best as I can from this Chair for the present."

## HINDU WIDOWS' INHERITANCE BILL

The House then proceeded with non official Bills Rai Bahadur Harbilas Sarda moved for the consideration of the Bill to secure share for Hindu widows in their husbands' property

Sir Brojenira Mitter moved for the circulation of the Bill, remarking that the matter was essentially one for the majority of the community to decide, and that the Government would be guided by that opinion.

The motion for circulation was carried

## IMPERIAL BANK ACT AMENDING BILL

Mr B Das moved for the consideration of the Bill to amend the Imperial Bank Act Mr Das's Bill provides for Indianisation of the staff of the Imperial Bank, and also lays down that any fresh agreement with the Imperial Bank shall be subject to the approval of the Assembly and shall be only for a temporary period The Bill states that from the time the Bill comes into operation, the total number of European officers shall not exceed the number employed at the amalgamation of the Presidency Banks and that the London Branch shall provide training for five Indian graduates every year Mr Das violently attacked the Imperial Bank administration which he held was a menace to India The bank was not even a member of the Indian Chamber of Commerce and preferred to import English boys for employment, though Indians of high education and good families were available He pressed for the immediate termination of the contract with the Bank, but realised the difficulties caused by the Banking Enquiries He wanted an assurance that the agreement would not be renewed without the previous consent of the Assembly

Sir George Schuster congratulated Mr B Das on having got a place for the second reading of the Bill after patiently waiting for five years, and expressed sympathy with the spirit underlying the Bill But, he held that the statement about racial discrimination was not justified, and gave figures showing that the Indian element in the bank had strikingly increased The Government could not pass a legislation inflicting injury on a private bank and forcing it to dismiss Europeans and pay a heavy compensation with a view to making way for Indians Sir George Schuster said that the Government held that when so much matter was under consideration and in the air it would not be justified in entering into any permanent agreement with the bank at this stage At the same time, he assured the shareholders of the bank that the Government did not contemplate a sudden change Sir George Schuster, on the other hand, assured the House that the Government would not enter into business with the bank involving a change in the present situation without giving some opportunity to the Assembly to know what the Government proposed He concluded "One final word I wish to say That is, business along these lines is not merely a matter of legislation The Government cannot, by a stroke of the pen, suddenly create a body of efficient bankers whom the whole of India will trust These men grow up only from below, and no effort of the Government, which is not balanced by actual growth in the society of India, will have the slightest chance of achieving the result you desire"

Mr N. C Kelkar regretted that Sir George Schuster had given no assurance of Indianisation

Sir George Schuster : No assurance is required as the existing arrangements are progressing satisfactorily for Indianisation

Mr. Kelkar : We want an assurance as regards the demands put forward in the Bill

Pandit Malaviya favoured a statutory provision providing for Indianisation, and moved for circulation of the Bill Moulvi Mahomed Yakub said that circulation would kill the Bill and moved for reference of the Bill to a Select Committee

Pandit Malaviya was prepared to withdraw the motion in favour of that of Moulvi Mahomed Yakub The President said that both could remain.

Sir George Schuster, replying, opposed both the motions and said that the Bill did not go to the root of the matter, and was a badly aimed shot at the target

The House then divided, and rejected the motion for reference of the Bill to a Select Committee by 45 to 22 votes The motion for circulation was also rejected

by 46 votes to 21. Finally, the House rejected Mr B Das's Bill without a division. The majority consisted of the Government block and the European and Central Muslim groups. The minority consisted of the Nationalists and Independents. The division was indicative of the relative strength of the Government and the Opposition parties in the House.

#### ARYA MARRIAGE BILL

Mr. Mukhtar Singh moved for reference of the Arya Marriage Validation Bill to a Select Committee. He said this would facilitate inter-caste marriages. The House at this stage adjourned.

#### STIPENDS TO CARNATIC FAMILY

*22nd. JANUARY*—The resolution moved by Mr Kabiruddin Ahmed, on Sept. 24 last, was the first to be discussed on this day. It recommended that the stipends of the members of the Carnatic family which were discontinued on account of their participation in the Khilafat movement be restored with retrospective effect.

Mr Howell, Foreign Secretary, was received with cheers on rising to reply. He accepted the motion on behalf of the Government. (Applause) He said he did not wish to enter into the history of the case, but was prepared to let bygones be bygones and not be vindictive and treat the subject matter of the resolution with the utmost sympathy. He assured them that he would carry on the best traditions left behind in the House by his predecessor, Sir Denys Bly. The motion was adopted.

#### GRIEVANCES OF CURRENCY STAFF

Pandit Thakurdas Bhargava moved for a mixed committee to enquire into the grievances regarding scales of pay, provident fund and other service conditions of the non-gazetted staff, menial and clerical, of the Currency offices in India and Burma.

Sir George Schuster, Finance Member, pointed out that these questions were of grave concern to him, but a debate was not the best method to arrive at a solution for they would only be at cross purposes. The Government had no desire to take advantage of the poor non-official attendance. He was open to argument and desired the fullest opportunity to discuss the matter. Therefore, he suggested that two or three members interested in the question should meet him at the finance department office and discuss the matter in detail with a view to arrive at a common understanding. He promised to explain the Government attitude in the matter and if he was convinced he was wrong he would gladly listen to what they had to say. But Government would take steps to prevent extravagant expenditure. The House agreed to the suggestion of the Finance Member.

#### SLAUGHTER OF MILCH COWS

Raja Raghunandan Prasad Singh moved for suitable effective measures to prevent throughout British India the slaughter of all milch cows and prime calves, except for strictly religious purposes. He complained that 5,00,000 cows were slaughtered in whole India and three lakhs of them for the army alone. Thus there was a serious inroad on the country's supply of cows and bullocks. The Mussalman kings took proper measure for the protection of cows.

Pandit Madan Mohan Malaviya, supporting the resolution, asked every member of the House how much he owed to the cow, as every one took milk. Speaking from the economic point of view Pandit Malaviya asked what would be India if there were no cows. The Government had failed to reply to the point that milk was getting dearer in the country which also accounted for the high infant mortality. Further there had been an immense rise in the price of cattle during recent years. There was no greater criminal waste than the slaughter of cattle in the country.

Maulana Shafi Daudi opposing the resolution held that the idea behind the resolution was to prevent cow slaughter from the religious point of view even at the point of the bayonet, and he saw no reason why non-Hindus should be compelled to keep useless cows.

Sir Darcy Lindsay suggested that Government could help in the reparation of cows when they had gone dry to grazing grounds by providing cheaper railway freights. Dr. Moonje thought the spirit of the resolution was in accord with the position of the Government as both sought to improve the quality of the breed. Mr. H. P. Moly regretted the acrimonious turn of the debate and suggested an amendment urging the Government to take such measures as may be practicable to prevent the slaughter of cows.

Raja Raghunandan Prasad accepted the amendment.

The Home Member, replying on behalf of the Government, regretted that both the resolution and the amendment were vague and general which the Government was unable to accept. He assured the House that the debate had been very helpful to the Government and the practical suggestions like cheaper railway freights and repatriation of cows when they become dry to grazing grounds would be given the best consideration by Government.

Raja Raghunandan Prasad Singh made a short reply. The House then rejected both the amendment and the resolution by 24 against 45 votes and 24 against 47 votes. The House then adjourned.

#### ARYA MARRIAGE BILL

23d JANUARY.—The House on this day resumed the discussion on the motion of Choudhri Mukhtar Singh for the reference of the Arya Marriage Validation Bill to a select committee.

Munshi Iswar Saran gave cordial support to the motion. Munshi Iswar Saran proceeding said that two questions arose from the bill, viz, whether the Arya Samajists wanted the bill and whether there was anything in the bill open to serious objection. As to the first there was not even one organised body of Samajists which raised an objection to the bill. Regarding the second it was not open to non-Samajists to question the Samajists if they wished to marry irrespective of caste.

Dr. Suhrawardy.—We have not forgotten that the Child Marriage Bill as introduced was intended to apply to Hindus alone, but when it emerged from the select committee it became applicable to Mussalmans as well.

Munshi Iswar Saran.—To avoid a repetition of that you must put up a good fight in the select committee and select such men on its personnel as you think would safeguard your interest.

Mr. Ghuznavi.—What is there to show that the Samajists wanted the measure? This could only be ascertained if the bill was circulated.

Munshi Iswar Saran retorted that circulation would mean delay. He was convinced that nothing would allay the fears of gentlemen whom the Sarda Act had thoroughly demoralised. They were opposed to any measure of social reform. He admitted there were serious drafting defects in the bill, which could be remedied in the select committee.

Moulvi Shafi Daudi opposing the bill said that it had far-reaching implications. It sought to legalise marriages between Samajists and non-Hindus which he would oppose tooth and nail. Reference to select committee meant that the House accepted the principle of the bill and till Moslem women were exempted from the operation of the bill the Mussalmans would oppose the measure.

Pardai Kumar opposed the circulation motion and urged immediate consideration of the Bill which was demanded by the Samajists, who two years ago in connection with the centenary celebration of Swami Dayanand at Muttra had passed the resolution unanimously for the validation of inter-caste marriages among Samajists. Moreover recent conferences of Samajists in the U. P. and the Punjab had given support to the measure. There was nothing to show that the bill was intended to legalise marriages between people of different faiths and that it would give impetus to conversions. Attempts at conversion were proceeding briskly on the part of both Hindus and Mussalmans and the bill would seek no change there. All that the bill sought was that what had grown as a custom among the Samajists be legalised. The Samajists did not believe in the caste system and wanted to protect their rights under the law.

Sir James Crerar strongly pleaded for the House to accept the circulation motion which involved in no sense an attitude of hostility or disapproval for the measure.

which might be restricted solely in the interests of one particular community. He was not disposed to agree that the mere fact that two years ago a meeting of Samajists at Muttra passed a resolution for such a measure was conclusive evidence that the entire community supported the measure. The House should disabuse its mind that Government by seeking its circulation was in any sense unfavourably disposed to it or to the progress of social reform.

Pandit Madan Mohan Malaviya supported the circulation motion and opposed immediate consideration. The Arya Samajists were a part of the Hindu community and formed a separate entity in the Hindu society. It was open to them to have inter-caste marriages, but to say that under this bill the word Samajist included the relatives or dependents of a Samajist or persons under the guardianship of a Samajist was really going too far and showed how extensive was the scope of the bill. (Mr Kunzru—It is only permissive.) Moreover the bill would in effect concern the question of succession.

Mian Shah Nawaz held that clause 3 of the bill was loosely worded and sought to legalise marriages between Arya Samajists and Moslem women. If the mover of the bill was prepared to delete the words 'religion' from the clause he would support the motion for reference to a select committee. He did not agree with Pandit Malaviya that the bill would interfere with the law of succession.

The Law Member, speaking on the legal aspect of the bill, said that clause 3 did not say definitely whether both parties to the marriage should be Arya Samajists. It was vague and the interpretation by most members of the House was that it sought to legalise a marriage where one party was a Samajist while the other belonged to any other religion. If that view be correct every community would be affected by the bill. Further the bill made no provision for succession as to what law would be applicable. One party to a marriage may be a Hindu while the other a Moslem or one party a Hindu and the other a Samajist. So the best course would be to circulate the bill which would enable every community to have its say in the matter.

Mr M K Acharya opposed reference to a select committee as well as the circulation. But if it came to the question of choosing the lesser of the two evils, he would surely vote for the circulation. He feared that unless there was a convention that this legislature should have nothing to do with the marriage ceremonies of any community there would very soon at this rate be laws in the Assembly for marriages between bipeds and quadrupeds (Laughter.) He described those who were itching for popularity as social reformers as mere faddists and regarded it as a criminal waste of time for the Assembly to go on considering such measures.

Chaudhri Mukhtar Singh assured the House that it was not his intention that the bill should apply to others than Samajists. Regarding the Law Member's objection he asked that when Brahmo Samajists after marrying under the Civil Marriage Act could be treated as Hindus for the purpose of succession why should not the Arya Samajists be treated likewise.

The Law Member replied that a case of Brahmos had already created confusion and Government did not want confusion to be worse confounded.

Chaudhri Mukhtar Singh: If that confusion could be set at rest by a Calcutta High Court decision, why should not the same analogy apply to the Arya Samajists also? The circulation motion was finally carried.

#### COASTAL RESERVATION BILL

Mr. S N. Haji moved that his Coastal Reservation Bill, as reported by the select committee, be recirculated for obtaining further opinions thereon by the 13th April, 1930. The reason which promoted him to make this motion, he said, was that the Assembly at present did not consist of its full normal complement. The issues raised by the select committee report were of such great importance that it was desirable that a full House should debate thereon. A full House would meet only after the bye-elections which could not take place until after the last day allotted for the non-official Bills in this session. Moreover, under the standing orders a motion had to be made as regards this Bill in this session if it was not to lapse.

No speeches were made by non-officials or Government spokesmen and recirculation was agreed to.



## INDIAN STEAM VESSELS ACT

Mr Neogy, moving for the consideration of his Bill to amend the Indian Steam Vessels Act, said that the measure sought State intervention in private enterprise in public interest. Rate wars and foreign competition had ruined the indigenous inland transport in Bengal in the past. The Bill was expected to help in developing the Indian inland transport industry by fixing maximum and minimum rates for inland transport.

Sir George Rany, on behalf of the Government, said the Government had accepted the Bill as they held that there could not be any difficulty in administering it. They had undertaken to administer the Bill in a spirit of fair play to all and injustice to none. The House allowed consideration and passed the Bill.

## WAQF ACT (AMENDMENT) BILL

The House agreed to refer to a select committee Mr. Ghuznavi's Bill to amend the Waqf Act without discussion.

## WIDOWS AND COURT FEES

Mr. Sarda next moved for the consideration of his Bill to amend the Court Fees Act for certain purposes. He said that the Bill sought to give relief to widows suing for maintenance. It would be applicable only to Ajmere. At present they had to pay court fee on ten times the annual income of their husbands' estate, but under the Bill the court fee would be levied only on the annual income.

Mr. Gwynne, on behalf of the Government, moved for a select committee. He stated that Government accepted the principle of the Bill but felt that there were certain technical defects. The House referred the Bill to a select committee.

## MAN-MADE LAW

Mr. B. Das, moving for the circulation of his Bill to amend the Indian Penal Code, pointed out the hardships caused to women under the man-made law to-day. They gave exemplary punishment to the woman if she became a mother through free love while in an unmarried or a widowed state. To save herself from social ostracism, she had often recourse to the exposure of the child on the roadside, for which she was punished but the real culprit who seduced and abandoned her was left unpunished. The Bill sought to protect such women. The House rejected the motion.

## RESERVATION OF RAILWAY COMPARTMENTS

The House next allowed Mr. Aney to introduce his Bill to amend the Railways Act for prohibiting the reservation of compartments for any particular community.

## SARDA ACT (AMENDMENT) BILL

His other Bill was also introduced, providing for treating the offenders under the Child Marriage Restraint Act as first offenders and enlarging the scope of the discretionary powers under section 562 of the Criminal Procedure Code. He based this Bill on the observation of the Age of Consent Committee which pointed out that it would be in the fitness of things that the judges should have discretion in suitable cases to give the accused the benefit of section 562.

## PICTURE OF GODS AS TRADE MARKS

Finally, Mr. B. Das introduced his Bill to penalise the use of pictures of Gods and Goddesses as trade marks. The Assembly then adjourned till Monday. The Viceroy addressed the members on Saturday the 25th JANUARY. The following is the text of His Excellency the Viceroy's address:—

## The Viceroy's Address.

"Gentlemen of the Assembly—I was unable owing to my absence from Delhi to greet you at the opening of your session, but I desire now to offer you a cordial welcome to your labours and to express the hope that harmony and goodwill may attend your deliberations.

"I regret that it was not possible for me to address both the Houses of the Legislature this morning. That, however, would have involved either inconvenience to the honourable members of the Council of State by summoning them to Delhi

earlier than was justified by the circumstances or an undue postponement of the opportunity of speaking in this place.

"I do not propose to make a detailed reference to the programme of work that lies before you. Your attention, this session, will be directed chiefly to the budget, and the only preface I would wish to make to my more general observations, is a brief allusion to matters that do not immediately concern the internal affairs of India.

'Peace reigns on our borders; but for two of our neighbours, the past year has been eventful. Nepal has suffered the loss of her distinguished Prime Minister, His Highness Sir Shumshere Jung whose fame as a wise and progressive statesman had travelled far beyond the confines of his own country. India shares Nepal's sorrow in her bereavement, but shares also her gratification that the reins of office have fallen into the hands of so sagacious and well-tried an administrator as Sir Bhim Shumshere Jung to whom we wish all success in the high duties which he now finds himself called upon to discharge.

"It is a great satisfaction to India that Afghanistan has found a happy issue out of her recent calamities in the accession of His Majesty King Muhammad Nadir Shah. His Majesty carries with him our warmest wishes and goodwill, and I have every confidence that under his wise guidance, Afghanistan will speedily enter upon a new era of prosperity, and that the ties of friendship which unite our two neighbouring Countries will be maintained with ever-increasing strength and mutual trust.

"The question of the future Government of Eastern Africa is now being considered by His Majesty's Government, upon whom my Government have impressed the keen interest evinced in this question by all the communities in India and importance of having due regard, in their treatment of this matter, to legitimate Indian feeling. I am glad to acknowledge publicly the valuable help which the Government of India has received from the Indian Legislature in this connection and to give the assurance that it will always be our endeavour to champion the just cause of Indians overseas by all the constitutional means open to us and in harmony with enlightened Indian opinion.

"I much regret that sudden and serious illness has compelled Sir Kurma Venkata Reddi, our Agent in South Africa, to return to India. During the time he has held his post, Sir Kurma has amply justified his selection to this important office and the House will, I am sure, join me in hoping that a speedy recovery may enable him before long to resume his work.

#### AIM OF BRITISH POLICY

"I must now deal with some features of the political situation which have lately been engaging public attention. On my return to this country from England it was my duty to make a statement on behalf of His Majesty's Government. That statement stands as I made it and indeed, in the light of the appreciation which I had formed of the principal elements of the problem with which we all have to deal and with a full knowledge of the weight that must necessarily attach to the considered opinion of any one holding my present office, I should have felt that I had failed in my duty both to India and Great Britain, if I had tendered any different advice to His Majesty's Government and when His Majesty's Government saw fit, as they did, to enjoin me to make an announcement on their behalf, I could have chosen no different language in which to make it.

"The intention of my statement, of which I believe, the purport to have been unmistakable and which carried the full authority of His Majesty's Government was to focus attention on three salient points. Firstly, while saying that, obviously, no British Government could prejudge the policy which it would recommend to Parliament after the report of the Statutory Commission had been considered, it restated in unequivocal terms the goal to which British policy in regard to India was directed. Secondly, it emphasised Sir John Simon's assertion that the facts of the situation compel us to make a constructive attempt to face the problem of Indian States with due regard to the treaties which regulate their relations with the British Crown, and lastly it intimated the intention of His Majesty's Government to convene a conference on these matters before they themselves prejudged them by the formulation of even draft conclusions.

"I have never sought to delude Indian opinion into the belief that a definition of the purpose, however plainly stated, would of itself by the enunciation of a phrase provide a solution for problems which have to be solved before that purpose is fully realised. The assertion of a goal, however precise its terms, is of necessity a different thing from the goal's attainment. No sensible traveller would feel that a clear definition of his destination was the same thing as the completion of his journey. But it is an assurance of direction and in this case, I believe it to be something of tangible value to India that those who demand full equality with other self-governing units of the British Commonwealth, on her behalf, should know that Great Britain on her side also desires to lend her assistance to India in attaining to that position. The desire of most responsible opinion in India and that of His Majesty's Government is thus the same and where unity of purpose is so assured, we ought surely to be prepared to approach the practical difficulties with greater hopefulness. For my own part, if I am satisfied that some one with whom I have business to transact desires the same end as myself, I feel better able to discuss any honest difference that may emerge between us as to the means of its complete attainment with a feeling of confidence that on the main purpose we do not differ.

#### BRITISH GOVERNMENT'S CONTROL OVER INDIAN ADMINISTRATION

"Although it is true that in her external relations with the other parts of the Empire, India exhibits already several of the attributes of a self-governing Dominion, it is also true that Indian political opinion is not at present disposed to attach full value to these attributes of status, for the reason that their practical exercise is for the most part subject to the control or concurrence of His Majesty's Government.

"The demand for Dominion Status that is now made on behalf of India is based upon the general claim to be free from that control, more especially, in those fields, that are regarded as of predominantly domestic interest, and here, it is generally recognised, there are real difficulties, internal to India and peculiar to her circumstances and the world position that have to be faced, and in regard to which there may be sharp variation of opinion both in India and in Great Britain. The existence of these difficulties cannot be seriously disputed, and the whole object of the Conference, now proposed, is to afford an opportunity to His Majesty's Government of examining, in free consultation with Indian leaders, how they may best most rapidly and most surely be surmounted.

"The conference, which His Majesty's Government will convene, is not indeed the conference that those who have demanded and claimed that its duty should be to proceed by way of majority vote to the fashioning of an Indian constitution which should thereafter be accepted unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty's Government and upon the Parliament. But though the conference cannot assume the duty that appertains to His Majesty's Government, it will be convened for the purpose, hardly less important, of elucidating and harmonising opinion and so affording guidance to His Majesty's Government on whom the responsibility must subsequently develop of drafting proposals for the consideration of Parliament.

#### QUESTION OF SELECTION OF PERSONNEL

"It is thus evident that the intrinsic soundness of any particular proposals made and the manner in which argument for them is presented, will be more important factors in the conference than the exact numerical representation enjoyed by any of the different sections of opinion that will participate in the proceedings. I do not now pronounce between the alternative methods by which the British Indian Delegation to the conference might be selected. It is safe to assume that the only desire of His Majesty's Government will be that this body should, so far as it may, be honest and representative of all opinion in India which can legitimately claim to be heard in the discussions where central and provincial issues must interact closely upon one another. Many will no doubt be anxious that an effective voice should be given to the provincial as well as to the All-India points of view. There is no lack of men well-equipped to deal with these several aspects of the problem but while those who attend the conference should clearly be

men who command the full confidence of those they represent, I trust that they will also be men of wide vision, strong judgment and imbued with the single desire of utilising the occasion for the common good of all the peoples of India.

"I have as yet tendered no advice to His Majesty's Government on this matter of the composition of the conference and before doing so, I shall welcome any informal intimation of their views that the hon'ble members of the legislature or the spokesmen of the different interests in the country may be willing to place before me.

"Nor has it yet been possible to decide upon a date for the conference for this must depend upon certain factors which are still indefinite. It appears probable that the Imperial Conference will be held in the autumn of this year and this, no doubt, will have to be one of the considerations present to the mind of His Majesty's Government when they fix a date for the Indian conference and as I stated in my announcement after the publication of the report of the Statutory Commission, it will be necessary to give His Majesty's Government, the Government of India, the Local Government, the Princes and the general public opinion, reasonable time to study the complicated questions with which the report will deal. Subject to these practical necessities of fact, His Majesty's Government will desire to hold the Indian Conference as early as possible, and so far as they are concerned, will interpose no avoidable delay. It is further the wish of His Majesty's Government to meet, in so far as it is possible, the wishes and convenience of Indian representatives themselves in this matter, and it will therefore be valuable to me to have the views of the hon'ble members and others on this point also.

"That brings me to another subject which is closely connected with the timetable of the conference. Hon'ble members will recall that I announced my intention, last May, of extending the life of the Assembly because, according to our expectations at that time, it seemed likely that the elections would otherwise be held on the eve of the publication of the report of the Statutory Commission and of the Indian Central Committee, and I considered that the uncertainty which must result from speculation as to the possible recommendations of these bodies could not fail to be embarrassing both to candidates and the voters. At the same time, I have never thought that it would be right to deny the electorate an opportunity of expressing its views on these matters during the period, necessarily protracted, that must elapse before the final establishment of a new constitution. I have accordingly decided that the election, should be held so as to permit the meeting of a new Assembly for the next Delhi Session. And my recent order extending the life of the present Assembly to July 31st of this year, was determined by the desire to leave it open to decide finally upon a date of election as may subsequently be found to be generally convenient having regard to the date ultimately fixed for the conference in London.

"Let us now picture to ourselves a conference such as we may hope to see established in actual operation. It will be an assemblage of men of varying race, religion and political thought. It will, by the inclusion of Indian States, be both an expression of the practical links at present uniting the two parts of India, and, as we may trust, an augury of a greater unity that the future days may come to witness. At the conference table, along with all those representatives of India will be those who represent Great Britain; and in view of the unique character of the gathering I would hope that, when his other preoccupations may permit, it might be possible for the Prime Minister to preside in person over its deliberations. Those taking part in the proceedings will be completely free to advocate any proposals for the realisation of Great Britain's professed policy that may desire to advance. They will do this, if I may repeat the words of my announcement "in the light of all the material then available" a definition purposely drawn wide enough to ensure to the Conference every latitude and assistance in the responsible task upon which it will be engaged.

#### BRITISH GOVERNMENT'S FINAL CONSTITUTIONAL OBLIGATION

"It is surely no small thing that the claim of India to take a constructive part without restriction and without prejudice, in the evolution of the new constitution should have been thus recognised by those on whom the final constitutional obligation must rest. The action of His Majesty's Government may indeed fairly be

said to have created a new situation. If the fundamental problem remains the same their action affords to India, as it does to Great Britain, occasion of making a new approach to it under conditions honourable to all, and in such forms as should permit every type of opinion to contribute to its solution.

"I had greatly hoped that the leaders of Indian opinion would have been unanimous in accepting the hand of friendship proffered by His Majesty's Government and so taken advantage of an opportunity unprecedented in India's history. All history is a tale of opportunities seized or lost, and it is one of its chief functions to teach us with what fatal frequency men have allowed opportunities to pass them by, because it may be that the opportunity presented itself in a form different from that which they have expected or desired; and history, it seems, is in danger of repeating itself to-day in certain quarters of India.

"There are some who have accustomed themselves to believe that the only thing necessary to place India in the position they long to see her fill is some simple action by Great Britain and who are, therefore, tempted to regard Great Britain as the only obstacle to the full and immediate realisation of their hopes. Yet without undervaluing the part Great Britain has to play in these matters, I believe that, at this moment the future well-being of India, as also the rate of her political progress, depends far more profoundly upon what her public men can achieve for her in welding into true unity the different elements that compose her being and represent the sum of her political thought than upon anything that His Majesty's Government or anybody else outside India may be able to do. I am not going to analyse the purpose of those who at a critical stage in India's history would counsel her to reject the way of reason which may persuade and convince in favour of destructive methods, the danger and futility of which she has already experienced in operation.

"But I am bound to make two things very clear. First is this. I have striven hard, not, I think, without result, to secure recognition of what I felt to be the just claims of India at the hands of Great Britain, and at the same time to pursue a policy of day-to-day administration in India that might not needlessly imperil any chance there might be of guiding the ship, carrying the precious freight of India's future into smoother waters. It has not therefore been the policy of my Government that prosecutions for seditious speech should be extended beyond those cases where the language used or the circumstances of its employment constituted an incitement to violence, or made it necessary to regard the speech as incidental to a movement directed to the subversion of law and of the authority of the Government.

#### THE LAHORE DECISIONS

"It has however recently been announced that the immediate goal of some who claim to represent India is the repudiation of allegiance to the British Crown. It has further been made clear that those who desire to achieve that goal contemplate resort to unconstitutional and unlawful methods of civil disobedience and with reckless disregard of the consequences.

#### DEBT-REPUDIATION

"A public profession has been made of the intention to refuse recognition of India's financial obligations to which her credit has been pledged. I am confident that the great preponderance of Indian opinion, which is both loyal and sane, will, when it understands its implications, condemn decisively a programme which could only be accomplished through the subversion of Government by law established and which would strike a fatal blow at India's economic life.

"It is evident that there are already some who regard violence, whether of individuals or of mobs, as the speediest and most effective solvent of political problems. Between such persons and all who believe in ordered society, based upon sanctity of life and respect for property and other lawful rights and interests, there can be no composition and no truce and although the very authors of the present policy deprecate, some on grounds of principle and some on grounds of expediency, resort to violence, they can hardly be so lacking in either imagination or recollection of the past events in India as not to be able to picture the results in this direction which must follow, as they have always followed, from the adoption of the policy they recommend.

## LAW AND ORDER

"It remains my firm desire as it is that of His Majesty's Government following the recently professed wish of the British House of Commons to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding a solution of our present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full the responsibility resting upon myself and upon my Government for the effective maintenance of law's authority and for the preservation of peace and order. And in fulfilment of this duty I do not doubt that I should have the full support of all sober citizens.

"The second thing I would point out is that in any case the conference will be formed. The fact that some decline to take any part in the deliberations so closely affecting their country's future only throws greater responsibility upon—and I would add gives a wider opportunity to—those who are prepared to face and solve the difficulties in a constructive spirit. It is certainly no reason why His Majesty's Government should be deflected from their declared intention to call representatives of India to their counsels. I entertain no doubt, but that those who will go to the Conference from British India will be men who can speak authoritatively for the several component parts of the great volume of Indian public opinion which they will represent. To all that body of opinion I would say that, if India's case is to have full weight at the Conference, it is of the utmost importance that no efforts should be spared to enable it to find expression with something like unanimity.

"I do not apologise for dwelling upon this imperative necessity. From the time I first came to India, now nearly four years ago, I have laboured, in private, to use such influence as I might possess in the way of assisting British India to win true peace among her own people and to strengthen herself immeasurably before the eyes of the world. I would accordingly hope most earnestly that the leaders of all those who will be represented at the Conference may realise that no duty, to which the love of their Motherland may impel them, can transcend in dignity or worth this call to unity and that they may utilise wisely the interval before the Conference in training the ears of their countrymen to hear it."

## PATENTS AND DESIGNS BILL

27th. JANUARY.—The Assembly meeting lasted twenty-five minutes only on this day. Sir Bhupendra Mitra moved consideration of the Select Committee report on the Patents and Designs Amendment Bill and said that the Select Committee had materially improved the Bill and given a greater latitude to the applicants.

Sir Purshotamdas Thakurdas asked why Government had taken no action yet on the Indian commercial community's demand for legislation for the registration of trade marks in India. He held that the staff of the Controller of Patents and Designs was inadequate, but congratulated Mr. Rama Pai on his efficiency.

Sir George Rainy said that the question was considered at least ten times before commercial opinion was found every time either unanimously against or balancedly against the proposal. He remarked that the Federation of Indian Chambers should suggest methods.

Sir Purshotamdas: When was it last that Government gave consideration to the matter?—Sir George Rainy: It was in 1917-19.

Sir Bhupendra Mitra said that the staff of the Controller of Patents and Designs was being strengthened and the emoluments of the Controller were being improved.

The Bill which was passed comes into effect from July 1, 1930. The Assembly then adjourned.

## COMPETITIVE MEDICAL EXAMINATION

28th. JANUARY.—On this day Mr. M. R. Jayakar, Deputy Opposition Leader, moved the following resolution—

"This Assembly recommends to the Governor-General in Council that he be pleased to revive the competitive examination for recruitment to the Indian Medical Service, which has been held in abeyance for the last fourteen years, and to hold it annually at a convenient centre in India and to make it obligatory for the entrants to the examination to hold a medical qualification registrable in India."

Mr. Jayakar said that he might be criticised for moving such a resolution at a time when the public demand was for the transfer to Indian control of the whole ma-

nagement of the country. He was not sure of the fate of the resolution in the present state of the House but was pressed by his medical friends to place the case before the House. Mr Jayakar said that this competitive examination was a good opening for employment of middle class people before the war. It was stopped in 1915 and had not yet been re-opened. The present system was most unsatisfactory. Not only did European recruits receive some extraordinary rights which were denied to Indians but the selection committees insisted on Indians possessing British qualifications. But even though Indians were asked to appear at a competitive examination in a foreign country in a foreign language with foreign degrees, they did so well that by 1914 they had secured 50 per cent. of the vacancies. Under the system of nomination, however, out of total of 102 vacancies filled between 1923 and 1928, only very few Indians had been taken. He maintained that medical education in India had made great strides and a higher percentage of Indians possessing post graduate qualifications was available for service in India than in European countries. Feeling on the subject was well expressed by the Inter University Conference over which the Viceroy presided and which had urged the revival of the competitive examination and recruitment. The All-India Medical Association had also resolved similarly.

Mr Young, the representative of the dark chamber of the Government, namely the Army Department, might once again say that there was a shortage of recruits. To that Mr Jayakar's reply was that India turned out 500 medical graduates yearly from among whom 25 annual recruits could be easily found. Finally, he urged reciprocity in the matter of registration of medical qualifications, as 2,000 persons practising in India to-day held European qualifications.

Mr Macworth Young, Army Secretary, speaking on behalf of Government, admitted that the present was not wholly satisfactory but Government were doing their best to improve it. At the same time, Government could not accept the resolution which involved the immediate institution of competitive examinations. Mr Young wished to know if Mr Jayakar wanted the holding of the competitive examination only in India or both in India and England.

Mr Jayakar replied that he preferred to have it exclusively in India but did not object to a simultaneous examination.

Giving figures of Indian recruitment Mr. Macworth Young pointed out that before 1910, of the 219 who entered the service, only 17 were Indians. In the five years preceding the war the number of successful Indian candidates advanced, for there were 107 European candidates and 39 successful Indian candidates. The total recruited in the pre-war period was 273 Europeans and 39 Indians. The proportion of Europeans and Indians recruited before the introduction of the present system of recruitment was seven to one. During the war 44 Europeans and 18 Indians were recruited. Immediately after the war there was a large increase in Indian recruitment. He admitted that during 1923-24 no Indians were recruited but during the whole five-year period, 1920-24, there were 83 Europeans and 83 Indians. All of them were permanent. He freely admitted that the conditions were then abnormal and the recruitment was also abnormal. In 1925 11 Europeans and 10 Indians were recruited and in 1926 a re-organisation of the service was worked out and the ratio fixed as two Europeans to one Indian. The actual number recruited from 1925 up-to-date was 86 Europeans and 47 Indians. Thus under the system of selection there had been considerable advance. The Army Secretary admitted that the maintenance of this proportion of two Europeans to one Indian by making Indian recruitment dependent on the number of Europeans recruited, which in some years had been flagging, was invidious to Indians. He informed the House that the Government of India had represented this matter to the Secretary of State who had agreed that Indians would in future be recruited to Indian vacancies in the recognised proportion of one Indian to two Europeans irrespective of the rate at which European candidates were forthcoming for European vacancies. Proceeding, the Army Secretary emphasised that the ratio fixed was necessary in view of the fact that the Indian Medical Service was primarily a military service. He made it clear that this proportion was not final and could be changed when it was found that a modification was *prima facie* desirable but the resolution, in so far as it involved an immediate radical change in the organisation of the service, was premature. Moreover, there was practical difficulties and they should not penalise their best source of recruitment. Competition would also prove unfair to a large number of temporary officers. In no British university had it been found possible to introduce a competitive examination. The Board in India had been quite able to

dis criminate between good and bad material. There was no question of jobbery, as Mr Jayakar had hinted. Nor was there any preference shown for British medical qualifications. In fact, last year one candidate was chosen who had no British qualification. Government were prepared to examine the whole matter in the light of to-day's debate but could not accept the resolution which was premature and impracticable.

Lt.-Col. H. A. J. *Gidney* said that he would support Mr. Jayakar (Nationalist applause), but wanted to know whether Mr Jayakar's resolution proposed an exclusive examination in India or a simultaneous examination in India and England, for he would give his support only in the latter case.

Mr Jayakar. My resolution asks for an exclusive examination in India, but I will agree to make it simultaneous if the Hon Member assures me that Government would accept the amended resolution.

Col *Gidney*. I am not in the confidence of Government but, if Mr. Jayakar accepts that amendment, the European Group would back him.

Mr. Jayakar. I will, if the European group accepts the amended resolution.

Sir Darcy Lindsay. Though my group have not been fully consulted, I believe they would support it. (Applause.)

Col *Gidney* admitted the force of the argument that the I.M.S. was primarily an army service and was needed for the medical needs of Europeans in the service, but that was no argument against recruitment through a competitive examination. He knew from personal experience that the quality of British officers of the I.M.S. was not the same as before. He has always favoured medical swaraj for India and would urge that examinations should be held entirely in India but, at the present stage, owing to inadequate medical training in certain Indian universities, he preferred to go slow and therefore recommended that competitive examinations should be held in India and England simultaneously.

Sir Darcy Lindsay accordingly moved an amendment to this effect.

Sir Frank Noyce said that the Government of India were anxious that India should attain Dominion Status in this respect and desired to institute a Statutory Medical Council for India whose relationship with the General Medical Council of England would be the same as that of similar councils in Australia and other Dominions. He promised to place before the House proposals on the subject shortly.

Dr. B. S. *Moony* said that British recruitment was affected by rumoured tales about India which had made recruits demand better conditions. He saw no reason why a temporary I.M.S. man was kept so long without confirmation.

Pandit H. N. *Kunru* held that the resolution or the amendment could benefit India only if the restriction imposed by the Secretary of State, i.e. 33 per cent. Indian recruitment, were removed. Moreover, was it not a fact that Europeans in private life secure the service of Indian doctors and vakils, irrespective of racial considerations and merely on the strength of their technical knowledge?

Mr. *Young*, replying on the debate, said that the question of alteration of the ratio might be considered in the light of altered circumstances in future but Government must hold that the resolution was premature at the present moment. There were practical difficulties in holding the examination simultaneously in India and England. Government could not, therefore, accept the resolution or the amendment.

The amended resolution was put to the vote and carried without a division amidst non-official applause. The amended resolution urged Government "to revive the competitive examination for the recruitment of the I.M.S. which has been held in abeyance for fourteen years and hold it annually simultaneously in India and England and make it obligatory for entrants to the examination in India to hold a medical qualification registrable in India." The House then adjourned.

#### Sale of Goods Bill

29th. JANUARY.—Sir B. L. Mitter, Law Member, moved consideration of the Sale of Goods Bill as amended by the Select Committee. He took pride in the fact that the Bill had such universal support from commercial bodies in India and said that in its present form the Bill was the result of immense labour, specialised knowledge and practical experience.

The motion to take the Bill into consideration was agreed to.

The clauses were then put to the House one by one.

Amendments being rejected the Sale of Goods Bill was passed. The *Contract Act Amendment Bill* and the *Transfer of Property Act Amendment Bill* were also passed without discussion. The House then adjourned till 4th Feb.



## TREATMENT OF LAHORE CASE PRISONERS

14th FEBRUARY — Extraordinary interest was roused when three short-notice questions were answered on this day.

Mr B Das asked whether the Home Member had received a petition from the Lahore conspiracy case prisoners asking for the fulfilment of the promise regarding special treatment to political prisoners and the removal of racial distinctions.

The Home Member replied that a petition had been received and forwarded to the Punjab Government for disposal. He had given no assurance to the Assembly of the nature referred to by the prisoners, and the Government's decision regarding the changes in the rules would not be affected by the course of conduct which the prisoners might pursue.

Replying to a series of supplementary questions, the Home Member said the local Government's replies had been received and the Home Member hoped shortly to convene the promised conference of party leaders in the House before taking the final decision.

## SILVER SLUMP

Sir Purshotamdas Thakurdas next raised a question regarding the unprecedented drop in the prices of silver, which meant a depreciation of silver holdings by the masses, and asked what steps the Government proposed to take to prevent a further depreciation of silver prices.

Sir George Schuster replied that the depreciation was caused by the fact that China and Indo-China were selling silver, secondly, silver was being less used for currency and even in currencies its standard of fineness was reduced. On the other hand, silver being a bye-product of other metals, its production was not reduced. The Government did not agree that then silver sales were the main cause of the fall in prices. They had decided on the sale of silver in the best interests of the country as a whole and not in the interests of any particular class of holders.

Pandit Malaviya, Sir Purshotamdas and Mr. Arthur Moore put numerous supplementary questions.

Sir George Schuster said that it was not in the public interest to give detailed information of silver sales, but he informed the House that the silver holdings were now Rs. 108 crores as compared with less than Rs. 100 crores last year. This was due to the increase in the return of silver rupees from circulation. He held that the silver currency reserve was uneconomical. Their conversion into sterling securities would yield interest to the Government.

Further pursued by supplementary questions, which lasted for 25 minutes, Sir George Schuster maintained that it was not primarily the action of the Government of India which brought about a fall in silver prices. The question whether the present prices were disadvantageous or advantageous depended on a long view of the market. He could not go so far as to say that the Government would refrain from selling silver at about the present level, though it was quite possible that silver might have stabilised itself now at a new level. On the other hand, taking a shorter view, it was obviously undesirable to put a large stock for sale at a time when, not getting a higher price, the Government would weigh the advantages and disadvantages of either course fully. Sir George added that he would gladly hear Sir Purshotamdas's suggestions.

Sir Purshotamdas asked whether the silver producers could not combine and restrict production. The Government of India should enquire and take the initiative.

Sir George Schuster replied that he would make an enquiry, but sellers were unlikely to combine, in his view, as silver was a bye-product, while the Government of India's interest would be merely to have a market to enable it to unload its silver holdings.

Pandit Malaviya suggested that the Government had actually robbed the people of their savings.

Sir George Schuster replied that there would be no robbery in a matter of this kind as the operations of the sale of silver were not intended to benefit any private interest. The Government might be right or wrong, but the policy was directed entirely in the best public interests of India. (Applause.)

Pandit Malaviya: Will the Government convene a conference of a few members to discuss the whole question of silver sales?

Sir George Schuster agreed to privately discuss the matter with the leader of the Opposition and Sir Purshotamdas and others

### The Galleries Question

Pandit Malaviya then asked the following short-notice question

(a) Is it a fact that His Excellency the Viceroy had telegraphed to the hon. Home Member to request President Patel to postpone making any statement on the question relating to police arrangements in the visitors' galleries in the Assembly till His Excellency's return to Delhi?

(b) If the answer to part (a) is in the affirmative, is it a fact that this message was not communicated to President Patel? If not, why not?

Sir James Crerar replied —

"I have His Excellency's permission to state to the House that on the evening of the 19th January I received a confidential telegram from His Excellency in the course of which he suggested that if the hon. President intended to make a statement on the subject I should approach him in order to suggest his postponement of any statement pending an opportunity for a further discussion after His Excellency had returned. I had no reason to suppose that the President intended to make a statement when the House met as he had given me no intimation to that effect, but on receipt of His Excellency's telegram I at once telephoned to the President's house intimating that I had a very urgent matter which I wished to discuss with him personally. I was informed that he was unable to receive me. I accordingly wrote to him immediately repeating my request that I might see him at any time convenient to him before the House met. To that communication I received no reply."

A volley of supplementary questions then ensued, causing great excitement. Pandit Malaviya. In view of the urgency of the matter, why did not the Home Member ride down to meet Mr. Patel?

Sir James Crerar. I would have been perfectly prepared if that suggestion had been made to me. (Official applause)

Pandit Malaviya. Was there any definite no that the President would not meet the Home Member?

Home Member. The phone was answered by some domestic servant, who in the first instance stated that the President was having his dinner and later that the President was ill in bed. In the absence of further information from him it was not for me to intervene in his privacy and his indisposition. (Official applause.)

Mr. Jayakar. Will the Home Member show me any words in his letter indicating that he had received a message from His Excellency which wanted him to communicate with the President?

Sir James Crerar. When I intimated that I wanted to see the President and had an urgent matter to discuss, I think it is hardly possible that to such a request made from the Leader of the House to the President the President would not reply. (Official cheers.)

Mr. Jinnah. May I know, when the Home Member received no reply to the letter, if he sent a demi-official letter, communicating the Viceroy's message to Mr. Patel? (Opposition cheers.)

Sir James Crerar. I considered that the communication which I desired to make to the President should more properly and effectively be made in an interview than in correspondence.

Pandit Malaviya. Did not the Home Member owe it to the Viceroy to write a letter to the President stating the message he has received from the Viceroy?

Sir James Crerar. Having asked for an interview on an urgent matter, I had no reason to anticipate that it will not be complied with.

Mr. Jinnah. When the Home Member found that it was not possible to communicate the message, should he not have communicated the message to the President before he made the statement?

Sir James Crerar. I expected my request would be complied with any time before the Assembly met.

Col. Crawford to President: May I know, Sir, whether you got a telephone message and the reason you did not reply?

The President. The hon. member does not expect the Chair to enter into a controversy. All I can say is that the answers given are imperfect in some ways and

incorrect in others I do not wish to enter into a controversy at this stage. If I have any matter to communicate I will make a statement.

Cheers and counter-cheers were at this stage partly drowning the words indulged in by either side of the House. Sir James Crelar was heard to ask the President, "May I know which part of my statement is incorrect?"

Mr. Patel: I had no telephonic communication from the Leader of the House. The Hon. member cannot cross-examine the Chan. (The official benches cheered Sir James Crelar.)

Sir James Crelar: May I respectfully point out that my facts are correct and enquire whether my statement that no reply was received to my letter is imperfectly correct?

No answer was given.

Mr. Aney: Did you mention the fact of having phoned to him in your letter?

Sir James Crelar: I made no statement to that effect in my letter.

Mr. Jayakar: May I know why in his letter the Home Member did not state specifically that he was in possession of an important message from the Viceroy?

No answer was given.

Mr. Moore: In view of Sir James Crelar's statement that the Viceroy's message was confidential, how did this information come into the possession of the Leader of the Opposition?

Sir James Crelar: I gave no information and should be glad to hear from Pandit Malaviya.

Pandit Malaviya: I received information from a reliable person at Allahabad. I then wired my question. I am glad that the information has been found to be correct.

The President at this stage closed further questions by asking the House to proceed with the normal business. Immediately a number of members retired into the lobbies and discussed the critical situation which had arisen. The general opinion was that it had done considerable damage to the peace movements on the galleries question.

#### ROAD FUND

The House resumed the discussion of the resolution moved at the last Simla session regarding the recommendations of the Road Development Committee in the matter of apportionments of the Road Fund and accepted 13 formal amendments of Mr. Jayakar without discussion.

Some discussion, however, ensued on the amendment of Mr. B. Das, who sought to limit the control of the Government of India only to works which they assisted by contributions from their reserve or otherwise. Mr. Das held that the whole resolution would strike at the basis of provincial autonomy and rob the Ministers of their control in the matter of road development. His suspicions were that it was the intention of the Government to control the roads, as they controlled the railways, for military purposes, to meet contingencies of revolution, etc. If they were really anxious to improve the means of communication they should have taken the question of water communication in hand earlier.

Sir Bhupendranath Mitra repudiated any sinister motive in the Government moving the resolution. Taxation in pursuance of the recommendations of the Road Development Committee had already commenced, and they were anxious to regularise the expenditure under that head. The Government had no intention to rob the provinces of their powers to manage roads, and the resolution expressed the considered opinion of the Government as also that of some prominent members of the House. The Government did not know if the proposed arrangements would clash with the future constitution of India, but they were confident that they did not with the present one.

Mr. Jayakar pointed out that the resolution was a compromise between the views that the Government should control all-India roads and that the Minister should not be interfered with in the discharge of their duties. The latter view held that the Government should be only a collecting agency. Mr. Jayakar stated that the Assembly control was necessary for the purposes of regulating the two annas duty on petrol, which was a central source of revenue.

The House rejected the amendment, and also another amendment of Mr. Das and passed the amended resolution. The Assembly then rose for the day.

5th JANUARY.—The Assembly met on this day in a comparatively calm atmosphere. The agenda consisted of 14 non-official bills at various stages.

## BILL FOR PROTECTION of Orphans.

Pandit Thakurdas Bhargava moved for a select committee for his bill amending section 552, Criminal Procedure Code. The bill sought to empower a magistrate to compel the restoration of any orphan, in certain cases to orphan societies.

About an hour and a half was devoted to the discussion of the motion which was ultimately rejected by the house.

Mr. Bhargava said that the present section 552, Cr. P. C., was enacted to provide protection for women and female children of tender age from unlawful detention and subsequent safe custody for female children whose parents were alive. There was no provision in the law to give protection to orphans of either sexes who had no guardians not for cases in which the minors came before courts in ways other than rescue from unlawful detention. The amendment would remedy those defects.

The opposition was led by Mr. Gwynne and the Rev. Mr. Chatterji. The former objected to the bill as it gave very wide powers to district magistrates and extended the powers of criminal courts beyond what was contemplated under the law. It would also import in the Code of Criminal Procedure what should properly be the sphere of a Child Protection Bill. Quoting opinions, Mr. Gwynne stated that the bill was opposed by almost all local Governments and high courts.

The Rev. Mr. Chatterjee thought the remedy suggested would be worse than the disease, as most of the institutions, intended to protect children, were badly managed, where children were generally treated worse than prisoners. Mr. Chatterji held it to be the function of the State to look after the orphans and till the time when orphanages could be run by Government, it was inadvisable to pass this legislation.

Mr. Bhargava, replying, said that all the opposition rested on the second part of his bill which he would withdraw in the select committee. The motion was rejected.

## EXEMPTION OF ACCUSED FROM ATTENDANCE IN COURT

The rest of the day was taken up by Mr. Bhargava's motion for a select committee to another of his bill to amend the Code of Criminal Procedure.

Mr. Bhargava pointed out that the object of the bill was to secure exemption for an accused person, who was incapable of remaining before court, but was represented by counsel, from personal attendance. The magistrate would then be empowered to proceed with such an enquiry or trial in his absence and may at a subsequent stage of the proceedings direct personal attendance of the accused. The bill also provided for adjournment of the case if the accused were unrepresented by his counsel or his presence was regarded necessary. Lastly, if there were more than one accused in a case, the trial of the accused exempted be held separately.

Mr. Gwynne, on behalf of Government, opposed the motion. He said that the wiser course for the mover was to get the bill circulated which he originally intended to do. The bill, he said, could not be regarded as of an urgent nature and was such on which opinions of the local Governments and high courts were regarded necessary by Government. Mr. Gwynne said the provisions of the bill were very wide and would only benefit the richer classes of people who would seek exemptions on every occasion. As a matter of fact, any one could apply and get exemption under the bill which would lead to delay of cases in courts.

Replying to Mr. Gwynne, Mr. Bhargava did not agree that the bill would only benefit the richer classes unless the Government meant that it would lead to corruption amongst judiciary. The house, however, rejected the motion.

## PICTURES OF GODS AS TRADE MARKS

Mr. B. Das next introduced a bill to penalise the use of pictures of Gods and Goddesses, scene from scriptures or mythology of any religion whatsoever, as marks or trade marks on any article imported or manufactured in India. Mr. Das said that many articles imported from foreign countries or manufactured in British India bore on them a stamp or picture of Hindu Gods and Goddesses. It was repugnant to their religious sentiments that they should be so used and profaned by coming into contact with every day human commercial life. Respect for Hindu sentiments demand that the pictures of Gods and Goddesses should not be used as marks and trade marks on any articles sold in the market. Commercialisation of religious sentiments was anti-Indian in tradition, culture and sentiment.

Sir George Rainy moving for circulation of the bill for eliciting public opinion doubted if the mover had thought the matter out seriously. If it was repugnant to the people to see pictures of Gods Goddesses as trade marks they would refuse

said to have created a new situation. If the fundamental problem remains the same their action affords to India, as it does to Great Britain, occasion of making a new approach to it under conditions honourable to all, and in such forms as should permit every type of opinion to contribute to its solution.

"I had greatly hoped that the leaders of Indian opinion would have been unanimous in accepting the hand of friendship proffered by His Majesty's Government and so taken advantage of an opportunity unprecedented in India's history. All history is a tale of opportunities seized or lost, and it is one of its chief functions to teach us with what fatal frequency men have allowed opportunities to pass them by, because it may be that the opportunity presented itself in a form different from that which they have expected or desired, and history, it seems, is in danger of repeating itself to-day in certain quarters of India.

"There are some who have accustomed themselves to believe that the only thing necessary to place India in the position they long to see her fill is some simple action by Great Britain and who are, therefore, tempted to regard Great Britain as the only obstacle to the full and immediate realisation of their hopes. Yet without undervaluing the part Great Britain has to play in these matters, I believe that, at this moment the future well-being of India, as also the rate of her political progress, depends far more profoundly upon what her public men can achieve for her in welding into true unity the different elements that compose her being and represent the sum of her political thought than upon anything that His Majesty's Government or anybody else outside India may be able to do. I am not going to analyse the purpose of those who at a critical stage in India's history would counsel her to reject the way of reason which may persuade and convince in favour of destructive methods, the danger and futility of which she has already experienced in operation.

"But I am bound to make two things very clear. First is this. I have striven hard, not, I think, without result, to secure recognition of what I felt to be the just claims of India at the hands of Great Britain, and at the same time to pursue a policy of day-to-day administration in India that might not needlessly imperil any chance there might be of guiding the ship, carrying the precious freight of India's future into smoother waters. It has not therefore been the policy of my Government that prosecutions for seditious speech should be extended beyond those cases where the language used or the circumstances of its employment constituted an incitement to violence, or made it necessary to regard the speech as incidental to a movement directed to the subversion of law and of the authority of the Government.

#### THE LAHORE DECISIONS

"It has however recently been announced that the immediate goal of some who claim to represent India is the repudiation of allegiance to the British Crown. It has further been made clear that those who desire to achieve that goal contemplate resort to unconstitutional and unlawful methods of civil disobedience and with reckless disregard of the consequences.

#### DEBT-REPUDIATION

"A public profession has been made of the intention to refuse recognition of India's financial obligations to which her credit has been pledged. I am confident that the great preponderance of Indian opinion, which is both loyal and sane, will, when it understands its implications, condemn decisively a programme which could only be accomplished through the subversion of Government by law established and which would strike a fatal blow at India's economic life.

"It is evident that there are already some who regard violence, whether of individuals or of mobs, as the speediest and most effective solvent of political problems. Between such persons and all who believe in ordered society, based upon sanctity of life and respect for property and other lawful rights and interests, there can be no composition and no truce and although the very authors of the present policy deprecate, some on grounds of principle and some on grounds of expediency, resort to violence, they can hardly be so lacking in either imagination or recollection of the past events in India as not to be able to picture the results in this direction which must follow, as they have always followed, from the adoption of the policy they recommend.

## LAW AND ORDER

"It remains my firm desire as it is that of His Majesty's Government following the recently professed wish of the British House of Commons to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding a solution of our present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full the responsibility resting upon myself and upon my Government for the effective maintenance of law's authority and for the preservation of peace and order. And in fulfilment of this duty I do not doubt that I should have the full support of all sober citizens.

"The second thing I would point out is that in any case the conference will be formed. The fact that some decline to take any part in the deliberations so closely affecting their country's future only throws greater responsibility upon—and I would add gives a wider opportunity to—those who are prepared to face and solve the difficulties in a constructive spirit. It is certainly no reason why His Majesty's Government should be deflected from their declared intention to call representatives of India to their counsels. I entertain no doubt, but that those who will go to the Conference from British India will be men who can speak authoritatively for the several component parts of the great volume of Indian public opinion which they will represent. To all that body of opinion I would say that, if India's case is to have full weight at the Conference, it is of the utmost importance that no efforts should be spared to enable it to find expression with something like unanimity.

"I do not apologise for dwelling upon this imperative necessity. From the time I first came to India, now nearly four years ago, I have laboured, in private, to use such influence as I might possess in the way of assisting British India to win true peace among her own people and to strengthen herself immeasurably before the eyes of the world. I would accordingly hope most earnestly that the leaders of all those who will be represented at the Conference may realise that no duty, to which the love of their Motherland may impel them, can transcend in dignity or worth this call to unity and that they may utilise wisely the interval before the Conference in tuning the ears of their countrymen to hear it."

## PATENTS AND DESIGNS BILL

27th. JANUARY.—The Assembly meeting lasted twenty-five minutes only on this day. Sir Bhupendra Mitra moved consideration of the Select Committee report on the Patents and Designs Amendment Bill and said that the Select Committee had materially improved the Bill and given a greater latitude to the applicants.

Sir Purshotamdas Thakurdas asked why Government had taken no action yet on the Indian commercial community's demand for legislation for the registration of trade marks in India. He held that the staff of the Controller of Patents and Designs was inadequate, but congratulated Mr. Rama Pai on his efficiency.

Sir George Rainy said that the question was considered at least ten times before commercial opinion was found every time either unanimously against or balancedly against the proposal. He remarked that the Federation of Indian Chambers should suggest methods.

Sir Purshotamadas: When was it last that Government gave consideration to the matter?—Sir George Rainy: It was in 1917-19.

Sir Bhupendra Mitra said that the staff of the Controller of Patents and Designs was being strengthened and the emoluments of the Controller were being improved.

The Bill which was passed comes into effect from July 1, 1930. The Assembly then adjourned.

## COMPETITIVE MEDICAL EXAMINATION

28th. JANUARY.—On this day Mr. M. R. Jayakar, Deputy Opposition Leader, moved the following resolution:—

"This Assembly recommends to the Governor-General in Council that he be pleased to revive the competitive examination for recruitment to the Indian Medical Service, which has been held in abeyance for the last fourteen years, and to hold it annually at a convenient centre in India and to make it obligatory for the entrants to the examination to hold a medical qualification registrable in India."

Mr. Jayakar said that he might be criticised for moving such a resolution at a time when the public demand was for the transfer to Indian control of the whole ma-

nagement of the country. He was not sure of the fate of the resolution in the present state of the House but was pressed by his medical friends to place their case before the House. Mr. Jayakar said that this competitive examination was a good opening for employment of middle class people before the war. It was stopped in 1915 and had not yet been re-opened. The present system was most unsatisfactory. Not only did European recruits receive some extraordinary rights which were denied to Indians, but the selection committees insisted on Indians possessing British qualifications. But even though Indians were asked to appear at a competitive examination in a foreign country in a foreign language with foreign degrees they did so well that by 1914 they had secured 50 per cent. of the vacancies. Under the system of nomination, however, out of total of 102 vacancies filled between 1923 and 1928, only very few Indians had been taken. He maintained that medical education in India had made great strides and a higher percentage of Indians possessing post graduate qualifications was available for service in India than in European countries. Feeling on the subject was well expressed by the Inter University Conference over which the Viceroy presided and which had urged the revival of the competitive examination and recruitment. The All-India Medical Association had also resolved similarly.

Mr. Young, the representative of the dark chamber of the Government, namely the Army Department, might once again say that there was a shortage of recruits. To that Mr. Jayakar's reply was that India turned out 500 medical graduates yearly from among whom 25 annual recruits could be easily found. Finally, he urged reciprocity in the matter of registration of medical qualifications, as 2,000 persons practising in India to-day held European qualifications.

Mr. Macnath Young, Army Secretary, speaking on behalf of Government, admitted that the present was not wholly satisfactory but Government were doing their best to improve it. At the same time, Government could not accept the resolution which involved the immediate institution of competitive examinations. Mr. Young wished to know if Mr. Jayakar wanted the holding of the competitive examination only in India or both in India and England.

Mr. Jayakar replied that he preferred to have it exclusively in India but did not object to a simultaneous examination.

Giving figures of Indian recruitment Mr. Macnath Young pointed out that before 1910, of the 218 who entered the service, only 17 were Indians. In the five years preceding the war the number of successful Indian candidates advanced, for there were 107 European candidates and 39 successful Indian candidates. The total recruited in the pre-war period was 273 Europeans and 39 Indians. The proportion of Europeans and Indians recruited before the introduction of the present system of recruitment was seven to one. During the war 44 Europeans and 18 Indians were recruited. Immediately after the war there was a large increase in Indian recruitment. He admitted that during 1923-24 no Indians were recruited but during the whole five-year period, 1920-24, there were 83 Europeans and 83 Indians. All of them were permanent. He freely admitted that the conditions were then abnormal and the recruitment was also abnormal. In 1925 11 Europeans and 10 Indians were recruited and in 1926 a re-organisation of the service was worked out and the ratio fixed as two Europeans to one Indian. The actual number recruited from 1925 up-to-date was 86 Europeans and 47 Indians. Thus under the system of selection there had been considerable advance. The Army Secretary admitted that the maintenance of this proportion of two Europeans to one Indian by making Indian recruitment dependent on the number of Europeans recruited, which in some years had been flagging, was invidious to Indians. He informed the House that the Government of India had represented this matter to the Secretary of State who had agreed that Indians would in future be recruited to Indian vacancies in the recognised proportion of one Indian to two Europeans irrespective of the rate at which European candidates were forthcoming for European vacancies. Proceeding, the Army Secretary emphasised that the ratio fixed was necessary in view of the fact that the Indian Medical Service was primarily a military service. He made it clear that this proportion was not final and could be changed when it was found that a modification was *prima facie* desirable but the resolution, in so far as it involved an immediate radical change in the organisation of the service, was premature. Moreover, there was practical difficulties and they should not penalise their best source of recruitment. Competition would also prove unfair to a large number of temporary officers. In no British university had it been found possible to introduce a competitive examination. The Board in India had been quite able to

dis criminate between good and bad material. There was no question of jobbery, as Mr Jayakar had hinted. Nor was there any preference shown for British medical qualifications. In fact, last year one candidate was chosen who had no British qualification. Government were prepared to examine the whole matter in the light of to-day's debate but could not accept the resolution which was premature and impracticable.

Lt.-Col. H. A. J. *Gidney* said that he would support Mr. Jayakar (Nationalist applause), but wanted to know whether Mr Jayakar's resolution proposed an exclusive examination in India or a simultaneous examination in India and England, for he would give his support only in the latter case.

Mr Jayakar. My resolution asks for an exclusive examination in India, but I will agree to make it simultaneous if the Hon Member assures me that Government would accept the amended resolution.

Col. *Gidney*. I am not in the confidence of Government but, if Mr Jayakar accepts that amendment, the European Group would back him.

Mr Jayakar. I will, if the European group accepts the amended resolution.

Sir Darcy Lindsay. Though my group have not been fully consulted, I believe they would support it. (Applause.)

Col. *Gidney* admitted the force of the argument that the I.M.S. was primarily an army service and was needed for the medical needs of Europeans in the service, but that was no argument against recruitment through a competitive examination. He knew from personal experience that the quality of British officers of the I.M.S. was not the same as before. He has always favoured medical swaraj for India and would urge that examinations should be held entirely in India but, at the present stage, owing to inadequate medical training in certain Indian universities, he preferred to go slow and therefore recommended that competitive examinations should be held in India and England simultaneously.

Sir Darcy Lindsay accordingly moved an amendment to this effect.

Sir Frank *Noyce* said that the Government of India were anxious that India should attain Dominion Status in this respect and desired to institute a Statutory Medical Council for India whose relationship with the General Medical Council of England would be the same as that of similar councils in Australia and other Dominions. He promised to place before the House proposals on the subject shortly.

Dr. B. S. *Moony* said that British recruitment was affected by returned men carrying tales about India which had made recruits demand better conditions. He saw no reason why a temporary I.M.S. man was kept so long without confirmation.

Pandit H. N. *Kunru* held that the resolution or the amendment could benefit India only if the restriction imposed by the Secretary of State, i.e. 33 per cent Indian recruitment, were removed. Moreover, was it not a fact that Europeans in private life secure the service of Indian doctors and vakils, irrespective of racial considerations and merely on the strength of their technical knowledge?

Mr. *Young*, replying on the debate, said that the question of alteration of the ratio might be considered in the light of altered circumstances in future but Government must hold that the resolution was premature at the present moment. There were practical difficulties in holding the examination simultaneously in India and England. Government could not, therefore, accept the resolution or the amendment.

The amended resolution was put to the vote and carried without a division amidst non-official applause. The amended resolution urged Government "to revive the competitive examination for the recruitment of the I.M.S., which has been held in abeyance for fourteen years and hold it annually simultaneously in India and England and make it obligatory for entrants to the examination in India to hold a medical qualification registrable in India." The House then adjourned.

#### Sale of Goods Bill

29th. JANUARY.—Sir B. L. Mitter, Law Member, moved consideration of the Sale of Goods Bill as amended by the Select Committee. He took pride in the fact that the Bill had such universal support from commercial bodies in India and said that in its present form the Bill was the result of immense labour, specialised knowledge and practical experience.

The motion to take the Bill into consideration was agreed to.

The clauses were then put to the House one by one.

Amendments being rejected the Sale of Goods Bill was passed. The *Contract Act Amendment Bill* and the *Transfer of Property Act Amendment Bill* were also passed without discussion. The House then adjourned till 4th Feb.



## TREATMENT OF LAHORE CASE PRISONERS

14th FEBRUARY — Extraordinary interest was roused when three short-notice questions were answered on this day.

Mr B. Das asked whether the Home Member had received a petition from the Lahore conspiracy case prisoners asking for the fulfilment of the promise regarding special treatment to political prisoners and the removal of racial distinctions.

The Home Member replied that a petition had been received and forwarded to the Punjab Government for disposal. He had given no assurance to the Assembly of the nature referred to by the prisoners, and the Government's decision regarding the charges in the rules would not be affected by the course of conduct which the prisoners might pursue.

Replying to a series of supplementary questions, the Home Member said the local Government's replies had been received and the Home Member hoped shortly to convene the promised conference of party leaders in the House before taking the final decision.

## SILVER SLUMP

Sir Purshotamdas Thakurdas next raised a question regarding the unprecedented drop in the prices of silver, which meant a depreciation of silver holdings by the masses, and asked what steps the Government proposed to take to prevent a further depreciation of silver prices.

Sir George Schuster replied that the depreciation was caused by the fact that China and Indo-China were selling silver, secondly, silver was being less used for currency and even in currencies its standard of fineness was reduced. On the other hand, silver being a bye-product of other metals, its production was not reduced. The Government did not agree that their silver sales were the main cause of the fall in prices. They had decided on the sale of silver in the best interests of the country as a whole and not in the interests of any particular class of holders.

Pandit Malaviya, Sir Purshotamdas and Mr Arthur Moore put numerous supplementary questions.

Sir George Schuster said that it was not in the public interest to give detailed information of silver sales, but he informed the House that the silver holdings were now Rs. 108 crores as compared with less than Rs. 100 crores last year. This was due to the increase in the return of silver rupees from circulation. He held that the silver currency reserve was uneconomical. Their conversion into sterling securities would yield interest to the Government.

Further pursued by supplementary questions, which lasted for 25 minutes, Sir George Schuster maintained that it was not primarily the action of the Government of India which brought about a fall in silver prices. The question whether the present prices were disadvantageous or advantageous depended on a long view of the market. He could not go so far as to say that the Government would refrain from selling silver at about the present level, though it was quite possible that silver might have stabilised itself now at a new level. On the other hand, taking a shorter view, it was obviously undesirable to put a large stock for sale at a time when, not getting a higher price, the Government would weigh the advantages and disadvantages of either course fully. Sir George added that he would gladly hear Sir Purshotamdas's suggestions.

Sir Purshotamdas asked whether the silver producers could not combine and restrict production. The Government of India should enquire and take the initiative.

Sir George Schuster replied that he would make an enquiry, but sellers were unlikely to combine, in his view, as silver was a bye-product, while the Government of India's interest would be merely to have a market to enable it to unload its silver holdings.

Pandit Malaviya suggested that the Government had actually robbed the people of their savings.

Sir George Schuster replied that there would be no robbery in a matter of this kind as the operations of the sale of silver were not intended to benefit any private interest. The Government might be right or wrong, but the policy was directed entirely in the best public interests of India. (Applause.)

Pandit Malaviya: Will the Government convene a conference of a few members to discuss the whole question of silver sales?

Sir George Schuster agreed to privately discuss the matter with the leader of the Opposition and Sir Purshotamdas and others

### The Galleries Question

Pandit Malaviya then asked the following short-notice question

(a) Is it a fact that His Excellency the Viceroy had telegraphed to the hon. Home Member to request President Patel to postpone making any statement on the question relating to police arrangements in the visitors' galleries in the Assembly till His Excellency's return to Delhi?

(b) If the answer to part (a) is in the affirmative, is it a fact that this message was not communicated to President Patel? If not, why not?

Sir James Crerar replied —

"I have His Excellency's permission to state to the House that on the evening of the 19th January I received a confidential telegram from His Excellency in the course of which he suggested that if the hon. President intended to make a statement on the subject I should approach him in order to suggest his postponement of any statement pending an opportunity for a further discussion after His Excellency had returned. I had no reason to suppose that the President intended to make a statement when the House met as he had given me no intimation to that effect, but on receipt of His Excellency's telegram I at once telephoned to the President's house intimating that I had a very urgent matter which I wished to discuss with him personally. I was informed that he was unable to receive me. I accordingly wrote to him immediately repeating my request that I might see him at any time convenient to him before the House met. To that communication I received no reply."

A volley of supplementary questions then ensued, causing great excitement.

Pandit Malaviya: In view of the urgency of the matter, why did not the Home Member ride down to meet Mr. Patel?

Sir James Crerar: I would have been perfectly prepared if that suggestion had been made to me. (Official applause.)

Pandit Malaviya: Was there any definite no that the President would not meet the Home Member?

Home Member: The phone was answered by some domestic servant, who in the first instance stated that the President was having his dinner and later that the President was ill in bed. In the absence of further information from him it was not for me to intervene in his privacy and his indisposition. (Official applause.)

Mr. Jayakar: Will the Home Member show me any words in his letter indicating that he had received a message from His Excellency which wanted him to communicate with the President?

Sir James Crerar: When I intimated that I wanted to see the President and had an urgent matter to discuss, I think it is hardly possible that to such a request made from the Leader of the House to the President the President would not reply. (Official cheers.)

Mr. Jinnah: May I know, when the Home Member received no reply to the letter, if he sent a demi-official letter, communicating the Viceroy's message to Mr. Patel? (Opposition cheers.)

Sir James Crerar: I considered that the communication which I desired to make to the President could more properly and effectively be made in an interview than in correspondence.

Pandit Malaviya: Did not the Home Member owe it to the Viceroy to write a letter to the President stating the message he has received from the Viceroy?

Sir James Crerar: Having asked for an interview on an urgent matter, I had no reason to anticipate that it will not be complied with.

Mr. Jinnah: When the Home Member found that it was not possible to communicate the message, should he not have communicated the message to the President before he made the statement?

Sir James Crerar: I expected my request would be complied with any time before the Assembly met.

Col. Crawford to President: May I know, Sir, whether you got a telephone message and the reason you did not reply?

The President: The hon. member does not expect the Chair to enter into a controversy. All I can say is that the answers given are imperfect in some ways and

incorrect in others. I do not wish to enter into a controversy at this stage. If I have any matter to communicate I will make a statement.

Cheers and counter-cheers were at this stage partly drowning the words indulged in by either side of the House. Sir James Creel was heard to ask the President May I know which part of my statement is incorrect?

Mr. Patel: I had no telephonic communication from the Leader of the House. The Hon. member cannot cross-examine the Chair. (The official benches cheered Sir James Creel.)

Sir James Creel: May I respectfully point out that my facts are correct and enquire whether my statement that no reply was received to my letter is imperfectly correct?

No answer was given.

Mr. Ance: Did you mention the fact of having phoned to him in your letter?

Sir James Creel: I made no statement to that effect in my letter.

Mr. Jayakar: May I know why in his letter the Home Member did not state specifically that he was in possession of an important message from the Viceroy?

No answer was given.

Mr. Moore: In view of Sir James Creel's statement that the Viceroy's message was confidential, how did this information come into the possession of the Leader of the Opposition?

Sir James Creel: I gave no information and should be glad to hear from Pandit Malaviya.

Pandit Malaviya: I received information from a reliable person at Allahabad. I then wired my question. I am glad that the information has been found to be correct.

The President at this stage closed further questions by asking the House to proceed with the normal business. Immediately a number of members retired into the lobbies and discussed the critical situation which had arisen. The general opinion was that it had done considerable damage to the peace movements on the galleries question.

#### ROAD FUND

The House resumed the discussion of the resolution moved at the last Simla session regarding the recommendations of the Road Development Committee in the matter of apportionments of the Road Fund and accepted 13 formal amendments of Mr. Jayakar without discussion.

Some discussion, however, ensued on the amendment of Mr. B. Das, who sought to limit the control of the Government of India only to works which they assisted by contributions from their reserve or otherwise. Mr. Das held that the whole resolution would strike at the basis of provincial autonomy and rob the Ministers of their control in the matter of road development. His suspicions were that it was the intention of the Government to control the roads, as they controlled the railways, for military purposes, to meet contingencies of revolution, etc. If they were really anxious to improve the means of communication they should have taken the question of water communication in hand earlier.

Sir Bhupendranath Mitra repudiated any sinister motive in the Government moving the resolution. Taxation in pursuance of the recommendations of the Road Development Committee had already commenced, and they were anxious to regularise the expenditure under that head. The Government had no intention to rob the provinces of their powers to manage roads, and the resolution expressed the considered opinion of the Government as also that of some prominent members of the House. The Government did not know if the proposed arrangements would clash with the future constitution of India, but they were confident that they did not with the present one.

Mr. Jayakar pointed out that the resolution was a compromise between the views that the Government should control all-India roads and that the Minister should not be interfered with in the discharge of their duties. The latter view held that the Government should be only a collecting agency. Mr. Jayakar stated that the Assembly control was necessary for the purposes of regulating the two annas duty on petrol, which was a central source of revenue.

The House rejected the amendment, and also another amendment of Mr. Das and passed the amended resolution. The Assembly then rose for the day.

5th JANUARY:—The Assembly met on this day in a comparatively calm atmosphere. The agenda consisted of 14 non-official bills at various stages.

## BILL FOR PROTECTION of Orphans.

Pandit Thakuridas Bhargava moved for a select committee for his bill amending section 552, Criminal Procedure Code. The bill sought to empower a magistrate to compel the restoration of any orphan, in certain cases, to orphan societies.

About an hour and a half was devoted to the discussion of the motion which was ultimately rejected by the house.

Mr. Bhargava said that the present section 552, Cr P C, was enacted to provide protection for women and female children of tender age from unlawful detention and subsequent safe custody for female children whose parents were alive. There was no provision in the law to give protection to orphans of either sexes who had no guardians nor for cases in which the minors came before courts in ways other than rescue from unlawful detention. The amendment would remedy those defects.

The opposition was led by Mr. Gwynne and the Rev. Mr. Chatterji. The former objected to the bill as it gave very wide powers to district magistrates and extended the powers of criminal courts beyond what was contemplated under the law. It would also impinge in the Code of Criminal Procedure what should properly be the sphere of a Child Protection Bill. Quoting opinions, Mr. Gwynne stated that the bill was opposed by almost all local Governments and high courts.

The Rev. Mr. Chatterjee thought the remedy suggested would be worse than the disease, as most of the institutions, intended to protect children, were badly managed, where children were generally treated worse than prisoners. Mr. Chatterji held it to be the function of the State to look after the orphans and till the time when orphanages could be run by Government, it was inadvisable to pass this legislation.

Mr. Bhargava, replying, said that all the opposition rested on the second part of his bill which he would withdraw in the select committee. The motion was rejected.

## EXEMPTION OF ACCUSED FROM ATTENDANCE IN COURT

The rest of the day was taken up by Mr. Bhargava's motion for a select committee to another of his bill to amend the Code of Criminal Procedure.

Mr. Bhargava pointed out that the object of the bill was to secure exemption for an accused person, who was incapable of remaining before court, but was represented by counsel, from personal attendance. The magistrate would then be empowered to proceed with such an enquiry or trial in his absence and may at a subsequent stage of the proceedings direct personal attendance of the accused. The bill also provided for adjournment of the case if the accused were unrepresented by his counsel or his presence was regarded necessary. Lastly, if there were more than one accused in a case, the trial of the accused exempted be held separately.

Mr. Gwynne, on behalf of Government, opposed the motion. He said that the wiser course for the mover was to get the bill circulated which he originally intended to do. The bill, he said, could not be regarded as of an urgent nature and was such on which opinions of the local Governments and high courts were regarded necessary by Government. Mr. Gwynne said the provisions of the bill were very wide and would only benefit the richer classes of people who would seek exemptions on every occasion. As a matter of fact any one could apply and get exemption under the bill which would lead to delay of cases in courts.

Replying to Mr. Gwynne, Mr. Bhargava did not agree that the bill would only benefit the richer classes unless the Government meant that it would lead to corruption amongst judiciary. The house, however, rejected the motion.

## PICTURES OF GODS AS TRADE MARKS

Mr. B. Das next introduced a bill to penalise the use of pictures of Gods and Goddesses, scense from scriptures or mythology of any religion whatsoever, as marks or trade marks on any article imported or manufactured in India. Mr. Das said that many articles imported from foreign countries or manufactured in British India bore on them a stamp or picture of Hindu Gods and Goddesses. It was repugnant to their religious sentiments that they should be so used and profaned by coming into contact with every day human commercial life. Respect for Hindu sentiments demand that the pictures of Gods and Goddesses should not be used as marks and trade marks on any articles sold in the market. Commercialisation of religious sentiments was anti-Indian in tradition, culture and sentiment.

Sir George Rainy moving for circulation of the bill for eliciting public opinion doubted if the mover had thought the matter out seriously. If it was repugnant to the people to see pictures of Gods Goddesses as trade marks they would refuse

to buy those articles. The manufacturers used the pictures because they attracted the customers. Further, there were practical difficulties in enforcing the provisions of the bill and he thought that even if it was passed into law, it would be a dead letter. Government could keep a check at the sea ports or even in places of manufacture, but it was possible that middlemen and merchants would paste pictures. Sir George Rainy, in conclusion, said that the operation of the bill would lead to a burden on trade and industry.

Mr Alexander pointed out that there was no repugnance in Madras, on the other hand people used the trade mark pictures as objects of veneration and decorated their houses with them. The bill sought to interfere with an old established custom which he held was dangerous. He also wished to know if the manufacturers who spent money on trade marks and were deriving considerable income would be compensated if the bill was passed.

The House accepted the motion for circulation and was adjourned till next day.

#### THE INCOME TAX BILL PASSED

6th FEBRUARY.—The sitting of the Assembly was very dull on this day and lasted for only 40 minutes. The House agreed without discussion to the Finance Member's motion for consideration and passage of the *Bill amending the Provident Funds Act of 1925* as passed by the Council of State.

The Income Tax Bill against the formation of companies with the object of evading the payment of income-tax and super-tax as reported by the select committee was next considered.

Sir George Schuster made it clear that there was no intention to penalise any company which happened to be controlled by one or by a small number of persons unless it was used for the particular object of evading the tax.

Mr Aney complained that the person who brought the select committee's report for his signature would not even wait until he went through the report with the result that the report was presented without his signature. He wanted the Finance Member to make more satisfactory arrangements in future.

Sir Hugh Cocke made it clear that the provisions of the Bill were so worded that companies would not be interfered with in their legitimate holding up of profits for the development of their business. If the income tax authorities were instructed on this point it would help the successful working of the Act. The Finance Member assured Sir Hugh Cocke that income-tax officers would be instructed as desired. He promised Mr Aney that steps would be taken to prevent a recurrence of his experience. The Bill was passed without further discussion.

#### RAILWAYS AND STEAMER SERVICES

8th FEBRUARY.—On this day Mr K.C. Neogy moved a resolution recommending the Government "to appoint a committee of official and non-official members of the House to inquire into the relations between the Eastern Bengal and Assam-Bengal Railways on the one hand and the inland steamer services in Bengal on the other and to report particularly whether and in what manner the interests of the Railways were affected by their co-operation or competition as the case may be with the said steamer services."

Mr Neogy said that to those who lived in Bengal the resolution raised a matter of vital importance. He traced the history of water communication in Bengal and said that time was when the Railways owned a huge fleet of steamers. Gradually this was handed over to private enterprise. The reasons stated by the Railway Member for this change, he said, were that a state-owned steamer service was both unremunerative and unpopular. The service became unremunerative and unpopular because of cut-throat competition. In a rate war the State could not go beyond a certain limit, while private companies could. The principle of maximum and minimum rates was not then known. He did not know why the proposals of the Railways to run their own steamer were turned down by the authorities, although the proposals were, at one time, backed by so mighty a body as the Bengal Chamber of Commerce.

The Assam-Bengal Railway alone had suffered a loss of 10 crores of rupees by this competition and Mr Neogy wanted Sir George Rainy to say how much of this money went into the coffers of the two principal combines which controlled the waterways in Bengal.

The Railways, he said, were handicapped by a pernicious system of block rates rebates and other methods. The Railway Member once described himself as the

managing director of Railways and the members of the Assembly as shareholders. He urged the managing director not to refuse the reasonable request of the shareholders.

Sir George Rany did not want to commit the Government to any view. Mr. Maffin, the Agent of the Eastern Bengal Railway, had gone into the subject and submitted a report to the Railway Board. Mr. Maffin mentioned in his report a number of points which, in his opinion, were not satisfactory. He thought that some readjustment of the relations between the Railways and the steamship companies was desirable. Mr. Maffin proposed to approach the steamship companies and discuss these questions with them. That, Sir George said, was the proper business-like way of tackling the subject rather than an inquiry at present. When the Agent submitted his report to the Railway Board the whole matter would be reconsidered by the Government. They would then consider whether any further action was necessary and whether an inquiry, as suggested by Mr. Neogy, should be made.

Now only had the Railway submitted their opinion. The steamship companies should also be heard. Lastly, the interests of the general public should be consulted. The Government, Sir George said, were not insensible to the importance of the consideration advanced by Mr. Neogy.

Mr. Neogy congratulated Sir George Rany on his conciliatory speech and withdrew the resolution.

#### Army Career for Indian Youths

Dr. B. S. Moonji moved for a committee of inquiry for examining the present system of education in India with the object of ascertaining the causes of the defective character-training in the system as emphasised and brought to the public notice by the Sandhurst Committee and of reforming the system by recommending measures for the removal of these defects in the system so as to enable the educational institutions to provide a steady flow of really first class material for recruitment as army officers.

Dr. Moonji denied that the resolution meant that Indian boys had no character but condemned the present system as not conducive to the building of character. He recalled, amidst laughter, Macaulay's statement that the English system of education made Hindus despise their religion and that in thirty years no idolator would be left in Bengal.

Mr. M. S. Aney : I wish Macaulay were alive to-day.

Dr. Moonji : It is fortunate that he is not. They framed a system of education thinking that we would all become Christians and therefore permanent slaves of the British. On the other hand, Dr. Moonji contended that it was the inherent character of the Indian boys which had asserted itself in spite of the present system of education and brought forth a larger number of boys than could be taken for Sandhurst. He said the Government must take courage in both hands and give the educational authorities the proper lead. Sir Denys Bray, at a farewell dinner in December last, had hinted that British boys must generously come to India and play the part of the lion to protect the Indian lamb. Dr. Moonji concluded, "I wish, on the other hand, that Englishmen would be generous enough to admit the mistakes of their predecessors and help in the institution of a new system of education."

#### FOUR AMENDMENTS

Four amendments were moved to Dr. Moonji's resolution.

Mr. M. K. Acharya complained that the resolution did not go far enough and proposed that the whole system of education be reviewed, as he wanted a man-making system instead of the present machine-making system.

Col. Crawford's amendment wished to throw the responsibility on the Government to examine the present system in the light of the Sandhurst Committee's report and to remove the defects "for the purpose of providing a steady flow of really first class material for recruitment to the public services, including the service of defence." Col. Crawford held that the present system did not bring forth the qualities of leadership and as these qualities were required for all services alike, he wished to fix the responsibility on the Education Department. He preferred a Government conference with the provincial authorities instead of an Assembly committee.

Munshi Ishwar Suman wanted a central all-India residential military school to educate 500 boys and to provide material for recruitment to the army.

The Rev. J. C. Chatterjee defended the educational system. He said the absence of supply of material had been hitherto due to the absence of scope for employment

in the army. Now that a demand had been made the supply had already been improving. Indeed, by the time any committee reported the situation would have already materially changed. He proposed an amendment favouring a conference of representatives of the legislature, the army and the educational authorities.

Mr. K. C. Roy regarded Dr. Moonje's resolution as going back on the Assembly resolution of 1927, which urged the immediate establishment of an Indian Sandhurst. Mr. Roy felt the matter to be one of high policy. If the Indian army authorities opened the door, the Indian universities could provide a hundred suitable boys to-day. (Mr. Jinnah: Hear, hear.) Moreover, the question was sure to be discussed at the Round Table Conference when the scheme of a basis for Dominion Status would be considered. Therefore, he opposed the resolution "as unfair to our universities, unfair to the Indian youth and inopportune from the political point of view."

Pandit Hindaynath Kunzru supporting Munshi Ishwar Saran's amendment said that it was the only way of putting pressure on the Army department for giving effect, though slowly, to the Skeen Committee's recommendations. It was true that Munshi Ishwar Saran's amendment did not provide for the acceptance of the recommendation of the Skeen Committee in its entirety, but it was a modest beginning and hence most reasonable. Government should encourage the sources of supply of youths for a military career by stating rifle ranges etc., as recommended by the Assembly last session.

Sir James Creel stated that the Government had decided to give effect to that resolution. Maulvi Sarfaraz Hussain Khan supported the amendment of Munshi Ishwar Saran.

Mr. N. C. Kelkar, according support to the same amendment, refused to accept the suggestion of the Sandhurst Committee that there was not enough material coming forth from the educational institutions to supply the required number of youths for the officer ranks of the Army. It was a blasphemy against Indian youths to say so. The present system of education was not faulty but the Army Department which was the villain of the piece and never cared to consult the educational authorities for the source of supply.

The education department was not concerned with providing military careers. It only prepared the seed-bed out of which careers grew. Indian youths had shown their aptitude for training, only opportunities had not been given them.

As for discipline, if the undisciplined sepoy could be disciplined, why not the educated youth? Courage and resourcefulness had been shown by Indian youths as judged by the revolutionary movement which must not be viewed simply in its political aspect. When he saw the Army List his blood boiled, for its contents showed that India was incapable of producing the required number of boys for officer ranks to defend their hearths and homes.

Sir Frank Noyce (Education Secretary) welcomed the turn given to the debate by Mr. Acharya and Colonel Crawford by the recognition of the fact that character training was no less important for civil than for military careers. He mentioned the Hartog Committee's review of education in India and added: "We do not want another committee to tell us what we already know. We don't want a thorough uprooting of the present system and the introduction of a system alien to the genius of this country, but," he continued, "shall advance on the lines on which at present the system is developing."

The Hartog Committee had recommended the revival of the Central Bureau of Education and the Central Education Advisory Board for the purpose of co-ordination. Government were considering the matter. He reminded the House of what the Prince of Wales said at the recent Victoria Cross Heroes' Dinner—that those who thought valour came forth only on the field of battle had a distorted view of life. "If we want character we require it as much in military as in civil life."

Sir Frank Noyce, concluding, expressed the Government's willingness to circulate reports of the debate (Opposition laughter) and to accept Colonel Crawford's amendment and the Rev J. C. Chatterjee's proposal, subject to the local Governments being consulted in the matter.

Mr. Young (Army Secretary) said that Sir Frank Noyce's speech had ruled out Munshi Ishwar Saran's amendment which Government could not accept. He maintained that such a school as the one proposed in this amendment could not be a charge on the Army estimates as there would be no guarantee that the products of this school would go into the army, just as there was a guarantee in the case of other military schools maintained by the Government. Mr. Young said that the Sandhurst Committee report had caused considerable confusion of thought and

to-day's debate would be an able answer to the inquiries of the local Governments and the educational authorities as to what the Sandhurst Committee meant in advocating radical overhauling of the educational system. To-day's debate would be a more authoritative pronouncement upon it than any government resolution.

Pandit Kunzru had stated that Government had refused to establish a Sandhurst. Mr. Young asked "May I ask where is his authority for that statement? The Skeen Committee had recommended the creation of a Sandhurst in 1933. We have still three years to go."

Mr. Kelkar : We live in hope then.

Mr. Young : Certainly and good hope too. The Government accepted the decision that as soon as there are more cadets than the British Sandhurst can accommodate and when Indian cadets are sufficient in number, an Indian Sandhurst will be established. We only did not accept the prophecy that it will occur in 1933. We already propose to open another college like Dehra Dun's and a military school at Ajmere for Rajput and Jat boys.

Mr. Young recalled Munshi Iswar Saran's 1927 speech in which the Munshi had challenged that if an open competition were held, the United Provinces alone could produce 200 cadets, otherwise he would resign. Mr. Young said The Munshi had not yet resigned, but if he held the same view why then should he advocate a special school to produce material which the Munshi said had already existed?

Mr. Jinnah regretted that the Army Secretary had not yet grasped the recommendations of the Sandhurst Committee and asked why Mr. Young did not publish the sub-committee's report which made matters so apparent. The Skeen Committee, after examining the systems prevailing in various countries, discarded the British model and adopted the Canadian model. He urged the Government to give a lead with a view to co-ordinating training all over India in three essential respects, namely, a knowledge of English, military and physical training. Further, they did not wish Government to wait for creating a Sandhurst till the saturation point was reached at the British Sandhurst, but accept it as a vital principle to establish a Sandhurst at the earliest possible moment, which they calculated would be 1933.

Mr. Jinnah said : Suitable candidates are available. I am convinced, moreover, that you do not want them. I agree with Mr. K. C. Roy that all the resolutions and all the amendments are unnecessary. You have accepted the Sandhurst Report in toto. Leave the matter there. I will say to the Government that there is a Round Table Conference in front of you. Will you wait until the question is settled there? Should not you make a preparation to give effect at any rate to those Skeen Committee recommendations? Don't you think tried at the bar of the Round Table Conference that you will get a lighter punishment than otherwise you are likely to get. Will you stand there as an accused whose guilt is to be proved and who will deserve the severest punishment, or will you prepare yourself, for mitigation and palliation? It is for you to decide but I ask you not to go the way you are going.

Pandit Madan Mohan Malaviya, supporting the resolution, repudiated the suggestion that the present system of education had not fostered character in the Indian youth. Indians, he said, had done quite well in all walks of life and it was time that increased facilities were provided for them to enter the camp.

The speaker suggested as a fair test that a hundred Indian and a hundred English boys be examined by some impartial authority and the result would not go against India. According to him, Government should keep in mind the fact that the evidence likely to be tendered at the Round Table Conference would be judged by world opinion and it was best in the interests of the Government and the country, if the universities were provided with facilities to give military training as recommended by the Skeen Committee.

Sir Zulfikar Ali Khan asked the House to support the Skeen Committee's recommendations. He said that Indians had proved their ability in various fronts during the Great War, but what they wanted to-day was scientific training. The youths of the country, he said, were impatient to win freedom to-day and it was a wise course to give them opportunities to defend their country.

Dr. Moonje, replying to the debate, felt that the whole debate had gone off the track. Neither his resolution nor the recommendations of the Skeen Committee had cast any reflection on the character of Indians. His resolution merely sought to prepare the way to give effect to the recommendations of the Skeen Committee by finding out the lead to be given to the educational authorities.

The House accepted the amendment of Col. Craford by 38 against 34 votes.



## KASAUJI MEDICAL INSTITUTE

Mr. M R Jayakar then moved that Government should (a) appoint a committee, with non-official majority and an adequate representation from the independent medical profession, (a) to inquire into, and report on the following points, and (b) hold over the proposed transfer of the Medical Institute at Kasauli to the Chandbagh Building at Dehra Dun till this committee's report was considered by the Assembly:—

(1) The most suitable university centre for the establishment of a Central Medical Research Institute

(2) The constitution of the governing body of the Indian Research Fund Association, and

(3) Recruitment for the medical research department.

Mr Jayakar said that the Government's recent decision on the question had caused general discontent though he understood how they were prepared to modify their original views. He favoured the research institute being located at a place like Bombay, Calcutta or Madras, and hoped that Government would set up a committee or a conference for the purpose.

Sir Frank Noyce stated that the Government would be prepared to meet the resolution more than half way. He admitted, from his experience of going to Pusa, what an unwise location meant in the case of an important institute. He informed the House that an expert committee, after fully weighing the claims of Bangalore, Bombay, Calcutta, Delhi, Dehra Dun, Kasauli, Madras, Nalik, Poona, and Simla, had favoured Dehra Dun and Government had accepted that view. But since then a situation had arisen which made Government hold the view that the question of location of the institute at Dehra Dun was not a closed chapter. The Standing Finance Committee of the Assembly when it passed the scheme for Dehra Dun, was told that Kasauli would still produce serum vaccine but when this decision was taken both Dr Graham, the Public Health Commissioner, and Dr. Christopher, the Director of the Kasauli Institute, were on leave. Both these officers now doubt the wisdom of retaining the manufacture of serum vaccine at a place far from the main research institute.

Further, a difficulty had arisen in finding residential accommodation for the staff as Dehra Dun was becoming congested. Government had, therefore, asked Dr. Graham and Dr. Christopher to prepare a scheme with full estimates regarding Dehra Dun. As the arguments for Dehra Dun and against it were already available, a conference would be called to examine the whole subject and it would include representatives of the medical profession at the various universities, the Public Health Commissioner, the Director of Medical Research, two members of the Assembly, one member of the Council of State, one non-official non-medical scientist, and one representative of the All-India Medical Association, which was an influential body. Dealing with the other parts of the resolution, Sir Frank said that even though the recent reconstitution of the governing body of the Indian Research Fund Association had fixed seven officials and seven non-officials as members, he was prepared to submit this proposal to the conference as also the question of recruitment of the medical research department.

Sir Darcy Lindsay welcomed the question being reopened and mentioned that the Standing Finance Committee did not examine the scheme owing to misunderstanding. Mr Jinnah said that Sir Frank Noyce had not met Mr Jayakar at all. The President thereupon suggested that the debate be adjourned to the next non-official day. The House adjourned till the 11th Feb.

**11th. FEBRUARY:**—The adjourned debate on Mr. Jayakar's resolution was resumed by Mr Jinnah on this day who in the course of a speech affirmed that Dehra Dun was hardly a suitable place. What public opinion demanded was a university centre. Sir Frank Noyce's speech on Saturday seemed to be introducing a thin end of the wedge in favour of Dehra Dun. Mr Jinnah further emphasised that before the Government reached a final conclusion they should approach the House for its views and under the guise of a conference should not run away with the idea that the opinion of the Assembly had been obtained.

Mr Das protested against the omission of the Patna University faculty for representation at the proposed conference.

Mr. Neogy emphasised that the real point was that the Government should stay hands until the matter had been discussed by the House.

Maulvi Mohamed Yakub strongly pleaded for Dehra Dun which had a salubrious climate. Bombay and Calcutta wanted everything within their own presidencies. The big cities were most unsuitable for research work.

Pandit Malaviya maintained that Dehra Dun was isolated. A university centre had a definite advantage. There should be no question of provincial jealousies in such a matter.

Mr. Jayakar, replying to the debate, asked the Government to make it clear that all the three propositions contained in his resolution would be submitted to the conference, the results of whose deliberations would be subject to the revision or approval of the House. The representation of the faculties of universities should be confined to non-officials.

Sir Frank Noyce replying assured the House that the conference would discuss all points raised in the resolution. He hoped that no occasion would arise for voting but if it was found necessary the conference would report to the Government accordingly. If the conference desired information on the estimate of expenses at select centres along with Dehra Dun, these would be prepared. The Government would also invite the Patna and Rangoon University faculties (cheer-) and would ask the Universities that their representatives should be non-officials. The matter would come again before the Standing Finance Committee and must thereafter come before the House in the shape of a demand for grants before the Government could half move in the matter. Whether any other opportunity would be given would largely depend on the resolutions of the conference. Replying to the pointed question by Mr. Jinnah, Sir Frank Noyce assured him that the Government would take no action on the matter until the matter came up before the House again in some form or other.

Mr. Jayakar withdrew his resolution as a result of these assurances.

#### INDIANS IN CEYLON

Pandit Hriday Nath *Kimaru* moved urging the Government of India to communicate to His Majesty's Government that the proposals of the Ceylon Government regarding Franchise which have been accepted by the Colonial Office in so far as they make possession of a certificate of permanent settlement and renunciation of protection of the Government of India by the Indian emigrants the condition of eligibility to vote, should not be put into effect and immediate steps should be taken to secure the adoption of the original recommendations of the Donoughmore Commission making five year's residence the basis on franchise.

Pandit Kunziu regretted that at a time when they were fighting for the honour and self-respect of Indians in Fiji and East Africa, the same acute problem has occurred at India's very doors in Ceylon concerning 700,000 Indians who were tied to the people of India by cultural and economic ties. The Donoughmore Commission after an exclusive enquiry deliberately came to the conclusion that although at present the Tamils were represented in the Council by two members their position in the colony would be sufficiently strong to enable them to protect their just rights only by making five years' residence the qualification for franchise in the case of Indians to those who not only satisfied regarding the five years' residence but obtained a certificate of permanent settlement from a specially appointed officer and also agreed to renounce any Government other than the Ceylon Government. The implication of this restriction affected Indians very greatly, and Pandit Kunziu demanded from the Government of India whether they were consulted in this matter by the Colonial Office before the latter had given their seal of approval. But for the increasing pressure of public opinion in India and the support of the Government of India the position of Indians in Ceylon would have been much worse than what it now was. Pandit Kunziu instanced as the advantages of this protection the abolition of penal conditions governing contracts, non employment of children under ten years, minimum wages, standardisation of wages, more regular payment of wages and better education facilities. If Indians now agreed to the condition proposed by the Ceylon Government such reform could not be done and their rights would be in jeopardy. It was indeed a novel doctrine to which Indians should never agree for they would be bartering away their rights for ever. Of 700,000 Indians only 300,000 would be enfranchised under the Donoughmore Commission's recommendation and

this number in a total electorate of 1,800,000 was certainly not such as to endanger the interest of the population India could not agree to have another South Africa in Ceylon and if the British Government were to ignore the Indian feeling it would be the beginning of the doom of the Empire.

Mr K. C. Roy moved an amendment urging the Government of India to communicate to His Majesty's Government the respectful protest and regret of the Assembly at the tentative acceptance by the Colonial Office of the proposals of the Ceylon Government regarding franchise in so far as they make the possession of a certificate of permanent settlement and renunciation of the protection of the Government of India by the Indian emigrants a condition of eligibility to vote, without affording an opportunity to the Government of India and this House to express their views, and urge immediate steps to be taken to secure the adoption of the original recommendations of the Donoughmore Commission five years hence the basis of franchise.

Mr Roy urging the Assembly to take an impartial retrospect of the position of Indians in various colonies pointed out the gloomy character of their treatment everywhere. In Fiji, the three Indian elected members of the Council had resigned as a protest against the Government decisions. In the Federated Malay States the position was such that a member of this Assembly had tabled a motion pointing out the disabilities. In East Africa the position was certainly no better, and the Hilton-Young Report and Sir Samuel Wilson's report would be probably discussed only by a select committee of the British Parliament. And in South Africa the fore screen which had been created by Sir Muhammad Habibullah's mission had been pierced through by the message of the Transvaal Indians to the Imperial Indian Citizenship Association, Bombay, published this week. In the face of all these factors, Pandit Kunzru had come out with the milk and honey resolution asking the Government of India to do just the very thing about Ceylon Indians which it was their obvious duty to do. What was the use of practising the fine art of self-deception? An attempt was being made for the first time to introduce in Ceylon a discrimination which was against the declared policy of the British Government regarding the Crown colonies. Possibly Lord Passfield had been actuated by certain considerations of policy. Yet what had the Government of India done? They had not even expressed their views on either the Donoughmore Commission proposals or on the Ceylon Government's decision, nor even replied to the memorial of two Indian Members of the Ceylon Council. He dragged in the Government of India, because this House was entitled to know if they were consulted and if so what views they had placed before His Majesty's Government. If His Majesty's Government had not consulted the Government of India then he asked. Was it Dominion Status in action? Only recently a land commission was appointed in Ceylon with a view not to give lands to Indians. One discrimination led to another, and there would be more discriminatory laws in time to come unless the Government of India stepped in, not with honeyed words but with a big stick and tell the Ceylon Government that Indian labour to Ceylon would be stopped if the position was not remedied immediately. Let it not be forgotten that Ceylon was dependent on India for its food supplies and labour. In the event of any discriminatory legislation, it was the fundamental duty of the Government of India to stop further emigration. (Applause)

Mr Arthur Moore, speaking on behalf of the Europe in group, said the resolution touched an aspect of Indian nationalism where all could work together. They must stand for equal rights of citizenship in the Empire. The only question was what was the most effective form of action. He felt if it was a question of laying funeral wreaths then they should accept Mr. K. C. Roy's amendment, but if the door was open then the house should vote for Pandit Kunzru's motion which was more serviceable from a diplomatic viewpoint. He did not agree with Mr. Roy's suggestion for the stoppage of labour or food supplies, because Indian foodstuffs went to Ceylon for economic purposes and could not be penalized for the purpose of conducting a quarrel with the Ceylon Government. He pressed Government not to allow the door to be shut very easily wherever space was left between the opening and closing of the door.

Munshi Iswar Saran described Mr. Roy's speech as pointed, but not to the point. The real solution of the problem was winning of freedom first for India. Why did Europeans get a better treatment in Ceylon than Indians? He joined Mr. Roy in

asking as to what the Government of India had done in the matter to show how the Dominion Status said to be already in action was working.

Mr G. B. Bapji, speaking on behalf of Government, expressed his readiness to accept Pandit Kunzru's resolution. Replying to the questions as to what the Government of India had been doing, Mr Bapji said the Donoughmore Report dealing with franchise proposed equality of status for Indians and therefore no occasion arose for representation by the Government of India.

Mr Roy—Did you welcome it?

Mr Bapji said when the Ceylon Council discussed the report they introduced a literacy test in addition to the residential qualification. The attitude of the Government of India was to accept the position so long as no discrimination was introduced between Indians and other sections. After that the correspondence between the Governor of Ceylon and the Colonial Secretary of State was intended further to restrict the Indian electorate and thereby raising an issue of fundamental importance to India. As soon as this correspondence became available the Government of India represented that consistently with their obligations to Indians in Ceylon and other parts of the Empire they could not acquiesce in the decision.

Pandit Kunzru—was the Government of India consulted before the Colonial Office despatch?

Mr Bapji—I have already replied to Pandit Kunzru.

Mr Bapji assured the House that as soon as the Government became aware they made a representation and they took the opportunity to consult the Standing Emigration Committee.

Mr Roy—Only on Sunday last.

Mr Bapji said it was not Government's fault that the debate did not arise earlier, as it did not control the hazards of the ballot box. "The Government of India agree that it is their duty to ask His Majesty's Government to consider the immense issue that has been raised". He assured Mr. Moore that the door was not closed.

Mr Jinnah.—Why not?

Mr Bapji.—May I know how it is?

Mr Jinnah.—I want your reasons, why you think so.

Mr Bapji.—Here is what the despatch says.

Mr Jinnah.—I did not want extracts, I want briefly your reasons.

Mr Bapji.—The despatch definitely says that the Colonial Secretary of State is disposed to adopt the Governor's proposals. It does not say he has adopted them. Moreover the mere fact that the issue is of such importance to hundreds of thousands of men who contribute to the economic prosperity of the island, the mere fact that the Government of India and the whole people of India are behind the demand for reconsideration of the question are a sufficient guarantee for my statement, that this will be reconsidered by His Majesty's Government. Concluding, Mr Bapji pleaded 'the stage for resentment has not reached. There is no occasion for the defeatist spirit. We shall now proceed fortified with the views expressed in this House.'

Sir Purshotamdas Thakurdas supported Pandit Kunzru's motion and condemned the proposed outrage upon the rights of Indians in Ceylon. He strongly protested against the conduct of the Ceylon Government for having invented a new fangled doctrine to keep down Indians and Lord Passfield for upholding it even though there was nothing in the Donoughmore Commission's report to warrant it. That the Ceylon Government's proposal to pass an order in Council should have been treated by the Government of India as keeping the door open was indeed regrettable. When three quarter millions of Indians were concerned and when such decisions were taken without consulting the Government of India then surely the Government of India, the Assembly and Indians should sit up and furiously think. No wonder Mr K. C. Roy had given strong expression to his sentiments and looked at the whole thing with a suspicious eye. The Secretary of State for India, also, was not consulted in this connection and to that extent this House had a grievance against the Colonial Office and His Majesty's Government. After passing this resolution India should keep a sharp lookout, for there could be no halfway house in adopting any new measures, should the protest of India go unheeded, If the British Empire wished to

use Indians only when she needed them and no more, they could say they had no use for such empire

Sir Darcy Lindsay, leader of the European group, entered a strong protest against the action of the Government of Ceylon and the Colonial Office in arriving at this decision without consultation with a very important partner in the Empire. They had merely thrown the Government of India and Indians overboard for their own ends. This action was most injurious at this vital moment (Hear, hear) In order to get the reforms through, the Ceylon Government had done its best to placate a certain section and thrown overboard the weaker side

Mr Jinnah, leader of the Independents, said the question before the House raised the paramount issue as to whether India was to be a Dominion within the British Commonwealth or not. He asked Mr Bampfylde when the Government of India came to know of the orders of the Ceylon Government and how. Was it through the good efforts of Mr K C Roy who controlled the Associated Press or otherwise? And when the Government came to know of it what did they do? (There was no answer) Mr Jinnah proceeded, surely the Government of India stands thoroughly humiliated. You are supine, devoid of self-respect and unable to answer as to what you have done. Yet Mr Bampfylde says the door for negotiations is not closed. No wonder the Government of India is getting this treatment from the Colonial office, because it is not a responsible government.

Pandit Kumar, replying to the debate, hoped that the Government of India would back up the Indians in the same manner as they had done in respect of Fiji, British Guiana, and South Africa. Ceylon knew that the balance of advantage lay on its side not to be grateful to Indians who had made the colony flourishing.

Mr. Roy withdrew his amendment in order to ensure a unanimous vote on the resolution.

Mr. Bampfylde, answering Mr Jinnah, said that the Government came into possession of the Ceylon Government's proposals only in November last when the despatches were published and not before and immediately they made a representation to His Majesty's Government. He maintained that the door for negotiations was still open.

The resolution was carried and the Assembly adjourned.

**12th. FEBRUARY:**—The Assembly met to day with a thin house. A number of select committee reports were presented.

#### FUND FOR LAC INDUSTRY

Sir George Rainy, Commerce Member, introduced four new Bills. The first was to provide for the creation of a fund for the improvement, development, cultivation, manufacture and marketing of Indian lac, thereby giving effect to the recommendations of the Indian Lac Association. The Behar and Orissa Government had set up a statutory Committee. The scope of the committee's work is enlarged and includes investigation of marketing methods and promotion of sales.

#### AUDITORS' CERTIFICATES

The second Bill amends the Companies Act. The Bill provides for the substitution of the Governor General in Council for the local Government as the statutory authority for the granting of auditors' certificates and for the abolition of the power to allow members of specified societies to act as auditors without certificates. It provides for the appointment of an Indian Accountancy Board to advise the Governor-General in Council. It also provides for the appointment of Local Accountancy Boards at important centres to advise the Indian Accountancy Board and the Governor-General in Council on any matters that may be referred to them. The Bill is to be a step to prepare the way for advance towards the ideal system of autonomous associations of accountants able to assume complete responsibility for the maintenance of the requisite standard of professional qualification, discipline and conduct of its members.

#### TARIFF ACT AMENDMENT BILL

The third Bill of Sir George Rainy amends the Tariff Act to give effect to certain minor amendments. These are included in a separate Bill, instead of in the Finance

Bill, because they have not been made primarily with reference to the revenues of 1930-31. The 15 centum duty on barks is to be abolished, the latter being the raw material of important industries of tanning and the exemption of living plants from duty is to be made on a statutory basis. The incubator being a poultry-farming appliance is to be exempted from the 15 centum duty. Pans for boiling sugarcane juice, sugar centrifuges and pug mills and parts thereof are to be exempted as recommended by the Linlithgow Commission. It is proposed to impose a specific duty of Rs 5 per maund on saccharine and similar substances to enable substances wherefrom saccharine can be readily made to bear the same duty and not a lower one as at present. The reduction of duty on wireless apparatus to two and half centum is to be put in a statutory tariff. Similarly the existing exemption on insulated copper cable containing pilot cores of a sectional area of less than one-eightieth part of square inch is to be made statutory. The next proposal is to make all domestic refrigerators without regard to mode of operation liable to duty at a general rate of 15 centum *ad valorem*. Bingles, beads and false pearls, whatever material they are made of, are to be subject to a duty of 30 centum *ad valorem*. There are also other minor tariff amendments. The Bill is to come into effect from the seventh day after it becomes law.

#### STEEL PROTECTION ACT AMENDMENT BILL

The fourth Bill introduced by the Commerce Member is to amend the protection to the steel industry and proposes to bring all steel bars and rods over 16 inch under protective duty, to make protection granted to half inch bars fully effective. Secondly, the Bill proposes to give full effect to the scheme of protection adopted by making clear that the tie bars for cast iron sleepers bear the same duty as spikes.

#### DANGEROUS DRUGS BILL

The Assembly next passed Sir George Schuster's Dangerous Drugs Bill as amended by the select committee. The House then adjourned.

#### INCOME-TAX ACT AMENDMENT BILL (SELECT COMMITTEE REPORT)

Sir George Schuster presented in the Assembly today the select committee report on the Bill further to amend the Indian Income Tax Act of 1922. The report says :—'We have accepted clause 3 but its examination has brought out the fact that there may be doubt if the order of the income-tax officer under sec 35A is appealable. It may be held that these orders should be reviewed in appeal under sec 30 against the resulting assessment, but we think it safer to take the opportunity now of securing beyond doubt that the appeal shall lie. We have done this by inserting a new clause 4 which amends sec 30 in the sense indicated.

'The old clause 6 proposed to give powers to officers to attach and sell debts due to the assessee. The statement of objects and reasons mentioned that the intention of the Government was to instruct income-tax officers not to use these powers in any province where the collector of land revenue himself could exercise them. However, during our discussion the doubt was raised whether these powers could be exercised by the collectors of land revenue in any province and we do not feel sure of the precise scope of the proposal contained in the clause. We have accordingly deleted it and recommended that the matter should be further investigated and brought up again in some future amending Bill should there appear to be need for it.

'In sub-clause (a) of clause 8 we have added some words to make it clear that persons claiming a refund will have the option of choosing that one of the alternative periods of limitation now provided which better suits him. In sub-clause (b) we have made provision whereby a specially empowered assistant commissioner will be able to admit claims for refund after the expiry of a period of limitation. We have done this for considerations of convenience in outlying areas like Sind.

'The old clause 11 related to the restriction to be imposed upon persons entitled to appear on behalf of others in income-tax proceedings. Clearly the restrictions proposed went too far and public opinion on the whole is strongly against them. We discussed at length the various suggestions to achieve the object in view, namely, to exclude the undesirables from practising before income-tax officers. We are agreed that some system of control as by licensing or registration of income-tax agents is desirable, but we do not feel that we are in a position to formulate any definite

scheme which would be certain to command general acceptance. In these circumstances even if we could settle one definite proposal we should consider that it was necessary for it to be circulated for opinion. We, therefore, recommend that various suggestions made in this committee should be further considered by the Government and that definite proposals should be formulated thereon and circulated for opinion before legislation is undertaken on this important subject. Accordingly we have deleted clause 11.

#### ADJOURNMENT ON RAILWAY STRIKE

*13th. FEBRUARY*—In the Assembly to-day an unsuccessful attempt was made by Mr. N. C. Kelkar to move an adjournment of the House to discuss the situation arising out of the general strike on the G. I. P. Railway and the attitude of the railway administration towards the strikers. Sir George Rainy submitted that the motion did not fulfil the requirements of the rules. The President, however, held that the motion was in order, but as less than 25 members rose in its support, the motion fell.

#### INHERITANCE AMONG HINDUS

Mr. JAYAKAR then moved the reference to a Select Committee of a Bill to declare gains of learning of a Hindu to be his separate property. He said that the Bill, in principle, was not a new one as a similar measure was passed by the Madras Council forty years ago; nor could it be said to be a Bill in advance of public opinion. The principal object of reviving the measure was to improve the status of dependent female members of joint Hindu families. Under the present law, a widow got maintenance and residence while the daughter was entitled only to a provision for her marriage. Mr. Jayakar proceeded: "All inquiries whether certain property is general, or the result of special learning, are made after the man is dead, and the onus of proving the property to have been acquired by her husband falls on the widow and, in the majority of cases, the presumption prevails that what is not proved to the contrary remains joint property. The present law also caused uncertainty as to what is general education and what is special education. The earning of a B. A., for instance, remained his personal property, while that of an L. L. B. became the property of the family; and the result was that a great deal of money was generally concealed instead of being invested in the natural way. The measure, he said, would remove this uncertainty.

Sir B. L. Mitter, Law Member, said that the measure concerned Hindus only and dealt with secular rights and not religious principles. Government would remain neutral and not thwart the Bill.

The Bill was thereupon referred to a Select Committee consisting of the Law Member, Munshi Isvar Saran, Mr. N. C. Kelkar, Mr. K. C. Neogy, Rai Sahib Har Bilas Sarda, Sir Purshotamdas Thakurdas and Mr. Jayakar.

#### SPECIAL MARRIAGE ACT AMEND. BILL

Mr. M. R. Jayakar next moved for reference to a Select Committee of a Bill to amend the Special Marriage Act of 1872.

Credit for the measure belonged, he said, to Sir Hari Singh Gour and he had only balloted it. It was a purely optional-enabling measure and existed in all civilised countries, and in some Indian States like Baroda. It was to the credit of the British Government of India that, in 1872, at a time when the Government was less amenable to public opinion than to-day and the Legislature was not even one-tenth as representative as now, they could pass this kind of civil marriage law. But under that Act if the parties only forswore their religion for the moment before a registrar, they could marry and come back and follow their respective religions. It thus actually bred insincerity and hypocrisy. Then, in 1923, Sir Hari Singh Gour saw the fruition of his efforts to amend the law by extending its benefits to the Hindu and allied communities like Jains, Buddhists and Sikhs. Under that Act the parties to a marriage were to give up five important privileges, including succession. But the present measure was to extend its benefits to Mahomedans, Jews and Christians as well so that it could unify all races inhabiting India and promote national solidarity which is so essential for a really self-governing India.

Mian Abdul Haye, Mr Anwar-ul Azim and Maulvi Shafi Daudi opposed the Bill. Mian Abul Haye said that for Mussalmans the Bill was a matter of vital importance. The only marriage law for them was according to the Koran. Proceeding, Mian Abdul Haye said that the Bill would not bring about any fusion of races as suggested by Mr Jiyakar because inter-marriages did not bring about any fusion in Egypt and Russia. The Bill further came into conflict with the personal law of Mussalmans. Mr Anwar ul Azim thought that the Bill might give freedom to those Mussalmans who while professing Islam wished to indulge in the luxury of marrying a non-believer.

Maulvi Shafi Daudi did not know how the Governor-General had given previous leave for the introduction of the Bill when Government knew that the measure was opposed by Moslems. He regretted that even the Moslems in the House did not fully realise all the implication of the Bill.

Munshi Iswar Saran pleaded for a little commonsense. The previous speaker, he said, had given out the secret of the Moslem opposition to the measure—they wanted to settle the communal question first. This, he regarded, was very regrettable. The speaker reminded the House that Indian Moslems had been opposed to English education before Sir Syed Ahmed founded the Aligarh College, but now they knew they were then wrong. They would have the same feeling towards the present Bill after ten years.

MR SARFARAZ HUSSAIN KHAN, supporting the Bill, said that narrow-mindedness and bigotted orthodoxy were the root causes of all the trouble in India. He was satisfied that the Koranic law was not opposed to the Bill. As for the Shariat, it was man-made law. To give an example, only a few years ago, the ulema of the country issued a fatwa against Council entry and to-day maulanas were members of Assembly. It was a pity that people who called themselves nationalists, wherever there was any chance for a unification of the communities, were the first to come in the way.

DR ABDULLA SURHAWARDY opposed the motion. He said that it was wrong to think that the Koranic law alone governed the Moslems; the whole of the Shariat also did. So long as Sir Hari Singh's ambition was to be a new Manu for India, he had no quarrel with him, but if he wished now to be a new Moses also, he, as a descendant of Abraham, must protest and oppose him.

SIR ABDUL QAYUM explained that he had agreed to serve on the select committee to safeguard the interests of his community. Personally he held that social reform by legislation should not be forced through the legislature until the reformers had created public opinion in favour of the reform they contemplated. He was for social reform and for settlement of communal differences, and declared that his view was that a proper way to impose nationalism on India was through a bold revision of the Government of India Act; otherwise the communities, Hindu and Moslem, were too selfish and quarrelsome to advance on the lines of nationalism indicated by those minor legislative enactments.

Discussion on the Bill was not finished when the House adjourned till 17 Feb.

#### Railway Budget Presented

17th FEBRUARY:—Sir George Rainy in the Assembly and Mr T. G. Russell, Chief Commissioner of Railways in the Council of State presented the Railway Estimates this morning. The following Press Communique was issued:—

"The Railway Estimates presented by Sir George Rainy in the Assembly to-day show a reduction in gain from commercial lines of 2½ crores as compared with last year. Owing to general trade depression, labour unrest in Bombay, and very heavy floods in parts of the country, the receipts from commercial lines are unlikely to come up to expectations, but, notwithstanding, the reductions made in coal freights should exceed last year's receipts by eighty lakhs. This result is partly due to the purchase of the Southern Punjab Railway on 1st January and heavy pilgrim traffic for Kumbh Mela at Allahabad. Goods earnings and other coaching traffic earnings are each down by about half a crore. With the exception of coal, coke and cotton, the traffic in principal commodities was considerably less than last year. The passenger traffic, however, shows an upward tendency and is expected to yield 67 lakhs more than last year."



"The total working expenses were  $2\frac{1}{4}$  crores higher including 58 lakhs extra to cover depreciation on capital works constructed in the previous year. Apart from abnormal charges like repairs to flood damages and dismantlement of the Aken Railway, the opening of 600 miles of new lines has resulted in increased working expenses. The cost of operation was 66 lakhs higher due to the engagement of additional staff to man new lines and to give effect to the Geneva and Washington Conventions. Considerable progress was made during the year in schemes for improving service conditions of lower paid employees, though the total cost of repairs to the rolling stock was more by 26 lakhs, the unit of cost of repairs and the time of detention of rolling stock in workshops being progressively reduced. Interest charges are about a crore more.

The final result of 1929-30 is expected to be a gain from commercial lines of 707 lakhs instead of  $11\frac{1}{4}$  crores anticipated when the budget was framed. Of this surplus, 181 lakhs required to meet the loss on strategic lines. To pay fixed contribution of 612 lakhs to general revenue it will be necessary to take 86 lakhs from the railway reserve. The reserve is expected to stand at the end of the current year at  $17\frac{1}{2}$  crores. The withdrawals from depreciation fund is less by 110 lakhs than payments into the fund and the balance will increase to twelve and a half crores.

"Assuming rather better trade conditions and normal increase in traffic, the receipts in 1930-31 for commercial lines are estimated to be over 107 and three-fourth crores or 3 crores higher than the current year. The working expenses are expected to be 1 and one-third crores higher, half of which is due to increased payment to depreciation fund on account of capital expenditure during the current year. Increase of over a crore in administration and operating expenses counter-balanced by decrease of three-quarter crore in repairs and maintenance. Interest charges rise by over a crore.

"The estimates provide  $\frac{1}{2}$  a crore under capital and revenue for further improvements in the service conditions of the lower paid employees and for giving effect to the provisions of the Washington and Geneva Conventions with regard to weekly days of rest and hour of work.

"As a result the budget estimate puts the gain from the commercial lines in 1930-31 at 788 lakhs or three quarter crore more than the current year. After meeting loss on strategic lines the balance left is 608 lakhs of which 574 lakhs will be paid to general revenues and 34 lakhs is expected to go to the railway reserve which will then be raised to 17 crores 90 lakhs. The depreciation fund will similarly be increased by 4 and three-fourth crores to  $17\frac{1}{4}$  crores.

"The Railway Board explain that in the existing conditions they are unlikely to obtain funds for capital expenditure on railways in the near future except at rates of interest substantially higher than those at which they have been procurable in the last three or four years. They have, therefore, concentrated this year and propose to concentrate next year almost entirely in pushing the schemes already in hand through to completion, and have avoided as far as possible adding to their commitments by undertaking new schemes at a time when the future is so uncertain. They point out that many schemes they would be ready to undertake during a period of cheap money cease to be remunerative when the rates of interest are high, and even schemes which still give at the higher rate a return on the capital invested in them had better be postponed, rather than that the railways of India should be burdened with a large volume of indebtedness for money raised when money is dear. As a result of the adoption of this policy their expenditure on works financed from capital or depreciation fund in the current year is likely to be one hundred and thirty five lakhs less than was originally provided and a still more substantial reduction is being made next year when they are only asking for twenty-five and a quarter crores or over ten crores less than this year's probable expenditure. Of this eight and a half crores will be found from the depreciation fund. No new lines not already started are being taken up, and the expenditure on open lines is practically confined to works in progress. It is expected that 660 miles of new lines will be opened in 1929-30 and about 300 next year.

"Sir George Rainy and Mr Russell mentioned among the works now in progress the electrification of the Ghat sections of the G. I. P. Railway and the Suburban Railway at Madras, the Perambur workshops of the M. and S. M. Railway and the

further prosecution of the Bajpur Vizianagram Railway which will ultimately provide the Central Provinces with a new outlet to the sea at Vizianagram. The only new work of any magnitude which it is proposed to initiate is the doubling of the East Indian Railway between Calcutta and Fardha which has become a matter of some urgency. A sum of Rs 20 lakhs has been provided in this year's budget for doubling the most congested section between Shikohabad and Fardha.

'Extensive rail renewals are proposed on the main line of the North Western Railway between Delhi and Bhanda and on the G I P Railway between Itarsi and Agra and between Poona and Sholapur and on the East Coast line of the Bengal Nagpur Railway. Heavy bridge renewals are programmed on the Bengal Nagpur Railway, G I P Railway and the B B and C I Railway.

"Enumerating some of the matters dealt with by the Labour Member, Sir George Rainy said that Indianisation was being attended to. New leave Rules had been settled and are on the eve of publication. The question of hours of employment and periods of rest was now gone into and the results were embodied in a Bill before the Assembly."

Concluding the Railway Member said,—"I must mention the need for economy in the working expenses of railways. I am anxious to make plain to railway administrations the importance which the Government attach to keeping the revenue expenditure within bounds. If and when we are satisfied that the introduction of well considered schemes involving expenditure are necessary in order to secure the welfare and contentment of our staff and if we find that the cost of these schemes cannot be met without raising our working expenses to a higher figure than is set down in the budget, we shall not hesitate to place supplementary estimates before the Assembly."

#### INCOME-TAX AMENDMENT BILL

**18th. FEBRUARY:**—OFFICIAL bills introduced last week figured on to-day's order paper along with supplementary demands for grants.

SIR GEORGE SCHUSTER (Finance Member) introduced a bill to amend the Income Tax Act which he said was intended to give effect to a promise he had made to the House and to put right a point raised by the Associated Chambers of Commerce. It has been held by a High Court that a bonus, a commission or other remuneration paid by an employer to an employee cannot be treated as business expense and deducted from the employer's income in assessing it to income-tax if the amount of such a bonus is dependent on the amount of profits. At the same time such payments are assessable to income in the hands of the recipients. They are thus liable to double taxation. The Government of India have, therefore, exempted such payments from income-tax in the hands of an employee where they cannot legally be deducted in assessing the income of the employer, subject to certain conditions. It has been pointed out, however, that apart from technicalities, such payments, if they represent a genuine remuneration for an employee for services rendered are rightly to be regarded as business expenses and that refusal to allow their deduction as such may cause hardship. It is therefore proposed to amend the law to permit deduction of such payments from an employer's income as business expense. The bill provides for this amendment with safeguards to prevent its abuse, namely a bonus or a commission must be of a reasonable amount with reference to the pay of an employee and the conditions of his service, the profits of the business for the year in question, and the general practice in similar businesses.

#### OTHER GOVERNMENT BILLS

Sir Bhupendra Nath Mulla introduced a bill for removing certain defects in the *Presidency Town Insolvency Act* and the *Provincial Insolvency Act*, which have been recently brought to notice.

On another motion made by Sir George Schuster the House referred to a select committee a bill amending the *Tariff Act of 1894* relating to barks for tanning arms, poultry farming appliances, saccharine and similar substances, wireless apparatus, domestic refrigerators and bangles, beads and false pearls.

Similarly the House, on a motion made by Sir George Rainy, referred to a select committee a bill relating to the fostering and development of the steel industry with

a view to imposing a protective duty against bars of the sizes of 15-32 inches, which are being imported in large quantities with the object of evading the protective duty leviable on half-inch rods.

The *Indian Loco Cess* Bill was referred to a select committee.

#### SUPPLEMENTARY DEMANDS

A large number of supplementary demands were voted without debate as these had been already scrutinized and passed by the Standing Finance Committee.

When a demand was made regarding legislative bodies Mr M K Acharya was called on to move a one-rupee cut of which he had given notice in this connection, but he said he understood that the matter which he wished to raise regarding the Assembly galleries was likely to be solved satisfactorily in a day or two and his purpose being only to urge a speedy solution, he would not make the motion.

An interesting discussion took place when Sir George Schuster moved a demand for a grant in respect of special commissions and committees.

Munshi Ishwar Saran said that this demand did not mention the Statutory (Simon) Commission. Was it because the Government feared that it might arouse a protest, or was it that they attached no importance to the Simon Commission? (Laughter.)

The President: Why flog a dead horse? Is it worth while to raise a discussion now?

Munshi Ishwar Saran: Three members of the Standing Finance Committee protested against the grant. I wish to record a protest in this House, though I know we can't vote Government down.

Mr Gaya Prasad Singh joined in the protest, even though it was only to flog a dead horse.

Dr Suhrawardy: The horse is alive and kicking too. (Cheers.)

Mr Gaya Prasad Singh: In your personality it may be alive. (Laughter). So far as others are concerned, this must be protested against as the Commission has been boycotted by every honourable man both inside and outside this House.

Sir George Schuster, replying, pointed out that there was no demand at all included for the Statutory Commission; therefore the Commission's name was not mentioned. (Laughter.)

When the motion was put to the vote, there were still a few dissentients but a division was not pressed for. The House was adjourned.

#### Discussion on the Railway Budget

19th. FEBRUARY. —There was a dull atmosphere when the House met on this day. The only business on the agenda was the discussion on the Railway budget. Mr A. H. Glaznavi initiated the debate.

He complained against the shortness of time allowed for studying the voluminous Railway Budget. He criticised the railway administration for abandoning the project of the Dacca-Aricha Railway although they admitted that it would be a paying concern.

Sir Purushottamdas Thakurdas said that the Railway Budget was by no means a brighter performance than the gloom and depression that prevailed around. He criticised the scheme of Indianization which he said had been niggardly carried out. The state-owned railway could not afford to maintain racial discrimination. He criticised the administration of the Bengal North-western Railway and asked them to look more to the convenience of the passengers.

Mr Kelkar said that the Railway Budget was a routine budget. It had no features to show. The only good feature was the non-undertaking of any ambitious railway construction project.

Mr Vidyasagar Panday suggested that the Budget should be presented in the autumn session of the Assembly and that non-official members should form themselves into different committees dealing with different aspects of the Budget so that nothing could escape unnoticed.

Sir Hugh Cocke regretted that some projects had to be cut down owing to shortness of funds.

Mr Amarnath Dutt criticised the railway administration for their indifference to Trade Unions and amelioration of labour conditions. He complained against

racial discrimination so glaringly in evidence in providing third class reserved compartments to Anglo-Indians and Europeans. He also brought to the notice of the House adulteration of food even trols of the railway.

Dr. Ziauddin pleaded for the separation of Railway Finances from Central Finance, to provide more comforts to passengers and to prosecute railway officers if they put in more passengers in a compartment than what it could ordinary accommodate.

Pandit Hriday Nath Kunzru brought to the notice of the House the disadvantages and discomforts which the passengers travelling by the B N R experience. He also asked the Railway Member to make better provisions for the education of railway employees.

Col. Giffney thanked the Railway Member on the budget he presented considering the trade depression around. He criticised the revised rate of pay and said that when living was so high and even Indians could not live on it how could they expect Anglo-Indians to subsist on such pay.

Mr. H. P. Moly said that the cheerless and colourless budget damped the zeal of members to ask for new projects.

Mr. B. Das condemned the railway administration for the manner in which they were carrying out the ejection of strikers in the G. I. P. Railway from their quarters. He wondered how the expenditure had gone up by 18 crores when the income remained stationary. He was afraid that they would have to suggest the appointment of a Committee for retrenchment.

Mr. Mohammad Yakub criticised the E. I. R. authorities for their antagonism towards labour unions, even when they pursued colonial lines and also pleaded for adequate representation of Muslims on the staff.

Munshi Ishwar Sarin wanted to know whether Government would purchase the A. B. R. and the B. N. W. R. as contracts of these railways would expire shortly.

Mr. Gaya Prasad associated with those who complained of lack of time for studying the railway budget and suggested changes in the time table to avoid overcrowding.

Sir George Rainy in reply said that different railways were looking into wages of their employees. As regards lack of time for studying the budget he said the matter would engage his attention but it could not be presented in the autumn session until the Government of India Act was amended. As regards overcrowding of third class compartments he said that they were taking a census as to where overcrowding took place and then they would be carrying out reforms with a view to avoid overcrowding. As regards unsympathetic treatment of railways towards constitutional labour unions Sir George Rainy said that he would look into it. As regards purchasing company managed railways he said that the project was under examination and until the examination was over he could not make a final statement. The financial aspect was also important. The B. N. W. Rly alone would cost 12 millions. The Government would not, however, let slip any opportunity of purchasing railways. The House then adjourned.

### Police Guard in Assembly—President's Triumph

**20th FEBRUARY:**—Punctually at 11 formal business was resumed in the Assembly. Interpellation took over twenty minutes. As soon as the interpellations were over the President informed the House that he had a communication to make and read a letter from the Viceroy yielding the whole demand which the President had been making on behalf of the Chair. The House listened to the statement with rapt attention and complete silence prevailed. The following is the text of President Patel's statement:—

"I have a communication from His Excellency the Viceroy which, it is my duty, to read to the House. It is as follows:—

"Dear Mr. President,—After discussions I have recently had with yourself, the Leader of the Opposition and the Leaders of other parties in the Assembly I am in a position, on behalf of the Government, to communicate to you their proposals for the solution of the difficulty that has arisen in the hope that these may prove a basis of working agreement or convention on matters lately in dispute.

"I cannot doubt that you and all non-official members of the Assembly have only

the same purpose in this matter as the local Government and the Government of India viz., to be satisfied that adequate protection is secured for the President and members of the Assembly while in discharge of their duty and if an agreement can be reached upon practical means to secure this purpose and means adopted proved adequate for its attainment, discussion of the general principles upon which agreement might be more difficult need not arise.

I deal first with the question of securing of protection in what are known as the inner precincts. In regard to this Government would propose to depute to the service of the Assembly a senior police officer who would be responsible to the President for regulating all matters relating to the protection of the Assembly within the inner precincts. For the purpose of the Assembly duty this officer might be designated as the Watch and Ward Officer of the Assembly.

In any case in which special experience of the deputed officer might lead him to think that precautions approved by the President were inadequate, it should be open to him to consult his superior officer in the Police Department and if such officer shares his opinion he should so report to the President who would forward the report with his observations to the Governor General-in-Council in order that an opportunity should be afforded to the authorities concerned to confer with, and in the spirit of the convention, to advise the President upon the matter. In an immediate emergency where such consultation was not possible or when the Officer was unable to take instructions of the President, the Officer would be at liberty to take such action in virtue of his powers as the police officer as his knowledge of emergency appeared to him to render necessary and in such cases it would be assumed that he acts so with the consent of the President.

The Government further recognises the general desire among members of the Assembly that the requisite protection should be secured through Assembly establishment and will be ready to co-operate in the early establishment of a staff of suitable quality for this purpose. This staff would be a part of Assembly establishment subject to the control of the President exercised through the deputed Officer and could wear such uniform as the President, on behalf of the Assembly might direct. Until the special staff referred to above can be brought into existence, the Government will place at the service of the Assembly and under or less of the deputed Officer such police as may be required. Such police might, if so desired, be distinguished by the wearing of a special armlet at the discretion of the President.

Should this arrangement be acceptable to the Assembly, the Government will arrange to depute a suitable officer as suggested above to be at your disposal forthwith for the purpose named and I understand that you will then without delay take steps in consultation with the Secretary to the Legislative Assembly and the deputed Officer to recruit the requisite permanent staff. If, as I trust, these proposals commend themselves to you and the Assembly, I am able to say, on behalf of my Government, that they would view the arrangement embodied in them as adequate substitute for the system which has hitherto been in force.

As regards the outer precincts of the Assembly the matter may be examined further and meanwhile the Government of India will instruct the local Government that all orders issued to the police within the outer precincts of the Assembly sector shall be framed with the approval of the President acting on the advice of the local Government.

I greatly hope that with good will on both sides the arrangement that, on behalf of the Government of India, I have here outlined, may furnish means of solving the unfortunate deadlock which has caused inconvenience to the members of the House and has been a matter, as I believe, of equal concern to the Government and the Chair."

#### PRESIDENT'S ACCEPTANCE

After reading out the Viceroy's letter the President made the following statement :—

"Honourable members are aware of the difference on this matter which arose between the Government and myself and I hope that the arrangement outlined in His Excellency's letter will prove to be a satisfactory solution of them. Without entering into a discussion of the legal aspects of the question, the Government have now propo-

sed the establishment of a convention which offers means of resolving the immediate difficulty with which we were concerned and which, I trust, provides a permanent working basis for the future. On behalf of the House I accept the arrangement in the same spirit as that in which it has been put forward and as the convention, which will now be established, provides adequately for the exercise of the authority by the Chair I am glad to say that I shall always welcome and be guided on matters affecting the security of this House by the considered advice which the authorities concerned may tender to me. As the main question is now settled I accordingly hereby direct that the galleries be reopened on and from Monday, February 24, 1930 and passes be issued to visitors in the usual manner."

The President had hardly concluded his observations when Mr. Arthur Moore, who had vacated his seat on the European benches and sat aloof from his colleagues and countrymen, rose excited and said :—Mr President, I have . . .

The President asked if it was a point of order

Mr Moore, —No, Sir, I want to be heard

Mr Subawardī :—Yes. The Viceroy says he hopes that the statement will have the approval of the House

The President said that the members were not entitled to make observations on the statement. If they were dissatisfied with the manner in which the proceedings of the House were conducted, they had the course open to them of a vote of censure. The Hon'ble Member had a section of the House which possibly shared his views, and that section would get from the Chair every facility for expressing its views in a proper manner. This was not the time to make any observations. At this Mr. Arthur Moore got more excited and shouted : "Sir, I would be heard ; I have a right to be heard." There were cries of "order."

#### INCOME TAX BILL PASSED

On the House settling down to the normal state the Income Tax Bill was passed without discussion.

An amendment on clause 11 moved by Mr. Gaya Prasad Singh was accepted by the Government. Section 66 sub-section (2) of the present Act prescribes a period of only 'one month from the passing of an order under section 31 or section 32' for a reference to the High Court. But Mr. Gaya Prasad Singh's amendment was that such a reference could be made to the High Court 'within 60 days of the date on which he is served with a notice of an order under section 31 or section 32'. Mr. Gaya Prasad Singh pointed out in his speech the ambiguity of the present law on the point and the shortness of the time allowed. Sir George Schuster on behalf of the Government accepted the amendment which was passed by the House. This change effected a great improvement in the law.

#### CANTONMENT HOUSE ACCOMMODATION BILL

There was however a lengthy discussion on the Army Secretary's motion for consideration of the Cantonment House Accommodation Bill. He pointed out that the deputation of the All India Cantonments' Association which waited on his predecessor had approved of the provisions of the Bill. Pandit Kunzru regarded the Bill, particularly Clause 6, as a direct attack on the rights of house-owners. He complained that the Government's intention was to exercise autocratic power to take possession of houses in cantonments. Already there was a feeling that the Government did not want any Indian to live in cantonments. Clause 6 only confirmed that feeling.

Maulana Shafi Daudī and Maulvi Mahomed Yakub opposed Clause six which would be a great hardship to house-owners.

Dr. Moonje thought that the present law was ample. No case had been made out for the Bill. Mr. Mody said that if it was the Government's intention to get at the owner who was not a bonafide owner then the present bill was defective to attain that object. The Army Secretary denied that the bill contemplated an invasion of the rights of owners. House-owners undoubtedly had certain rights which the Bill fully safeguarded, but Military Officers also had certain rights which it was intended by Clause six to safeguard. It was not possible for the Government to build a house for every officer.

The House divided on the Clause which resulted in a tie, there being 39 on either side. The President gave his casting vote against the Clause as it was a new clause.

The Army Secretary informed the House that the Government did not wish to proceed with the Bill at the present stage.

#### MR. MOORE SNUBBED BY PRESIDENT

After conclusion of the business on the agenda and before adjourning the House the President said: "I have received a note from Mr. Arthur Moore desiring to raise a point of order. I infer that this point of order is in connection with the statement I read before the House. I cannot allow the point of order as there is no business on the agenda now. The Hon'ble Member might have raised the point of order then."

Mr. Moore:—I tried to raise a point of order but I was not permitted.

President:—No. When I asked him if he wanted to raise a point of order, he wanted to make observations on my statement which I disallowed.

Mr. Moore:—No, Sir, I said that I wanted to raise a point of order.

Some members:—We heard you and the House heard you; you raised no point of order.

President:—As a special case I will allow you to raise your point of order.

Mr. Moore:—I am not speaking now, Sir, on want of confidence in the Chair. I only want ....

President:—The Hon'ble Member must confine himself to stating his point of order.

Mr. Moore:—The point of order is this. That the arrangement which so vitally affects this House and is accepted by you without consulting the House and affording opportunity to the members of this House to be heard (cries of "order," "order") Some members:—"We do not want to hear you").

Mr. Moore:—Are you afraid to hear what I have got to say?

Mr. Gopalprasad Singh:—You are talking wildly.

Mr. Moore:—If you keep quiet and listen to what I have got to say perhaps you will change your mind.

President:—I have already ruled that the Hon'ble Member is not entitled to be heard.

Mr. Moore:—Are you afraid of what I have got to say.

President:—Will the Hon'ble Member resume his seat?

Mr. Moore:—I wish to be heard.

President:—If he does not like the way in which the proceedings of this House are conducted, he is entitled to go out.

Mr. Moore:—I prefer to stay. I am a member of this House.

President:—The Hon'ble Member must stay under the rules and regulations of the House.

Mr. Moore:—What rule am I disobeying?

President:—You are disobeying every rule of this House.

Mr. Moore:—No, Sir, you have stated that you have accepted the arrangement. Are we not entitled to discuss it? The House has heard nothing of this. Sir, I wish to be heard and I shall be heard, if not to-day then to-morrow.

President:—This is no point of order. The House is not entitled to discuss a decision which the Chair has made. Decision and authority are vested in the Chair under the standing orders and rules of this House. In deciding the question I have exercised the right inherent in the Chair and vested in it. I am not bound to consult the House but members are aware that I have consulted the leaders of parties in the House and taken them along with me all through and in the decision I have taken I have acted with their concurrence. The President then announced that the House would meet on the next day.

#### Voting on Railway Demands

21st. FEBRUARY:—The Day was fixed for consideration of Railway demands. The President called on Mr. Aron who had tabled a cut for the abolition of the post of the Labour Member on the Railway Board to move his cut. The President ruled that other cuts which raised questions of general policy could be moved later.

Mr. Aron said that the House welcomed the creation of the Labour Member's

post in the belief that some effective work would be done to ameliorate the condition of labour. But in fact nothing had been done. Provision had been made for Rs 58 lakhs in the last Railway Budget for the purpose, but until the twelfth hour very little effort had been made to spend the money properly. Proceeding, Mr. Aney said that nothing had been done for labour so far. Nor justice had been done to the starving thousands. Their attitude towards Labour Unions was unsympathetic. In some cases they asked Labour Unions to drive away certain prominent workers connected with them before they could expect patronage.

Doctor Ziauddin said that time was short and the Labour Member could not be impeached if he could not ameliorate the condition of labour within such a short time.

Mr. Sharifraz Hussain Khan said if the Member was found competent there would be no good by abolishing the post.

Mr. Rangiswami Iyengar said the responsibility was joint and individual and Mr. Hayman was not solely to blame.

Mr. Kelkar charged Sir George Rainy with misrepresentation of facts and taking vote of the House on a wrong charge when the appointment was made.

Mr. Fazal Ibrahim Rahimutulla said that Mr. Aney had chosen a wrong ground as after admitting the competence of Mr. Hayman he could not ask for the abolition of the office.

Mr. Acharya opposed the cut. He thought that it was too narrow in its proposition.

Dewan Chamanlal supported the cut. He said that the issue was in no sense personal. The chief charge against the Railway Board was that they were autocratic and handled the labour question most incompetently. Railwaymen had sent a deputation to Sir George Rainy in May with a list of grievances. So many months had passed but nothing was done. A letter was sent to the Federation explaining the action taken by the Railway Board. Similarly they decided on the question of security of service that certain rights should be conferred on men with ten years' service. But they did not consult the workers although it concerned 800,000 men. Why could they not extend those rights to men with one year's service? Dewan Chamanlal asked the Railway Member to state the policy of the Government towards Trade Unions whether it was a policy of encouragement or discouragement?

Col. Gidney said that since the creation of the Labour Member a change had come over the Railway administration but the oppositions could not expect Rome to be built in a day.

Sir George Rainy then rose to reply. Contending Mr. Kelkar that he had obtained the appointment of the Labour Member by misrepresentation, Sir George Rainy read out his speeches on the occasion and said that the charge levelled against him was not a fair one. As regards amelioration of the condition of the employees he cited specific instances, such as the creation of benefit fund and the co-operative credit society etc. So far as the policy of the Government was concerned with regard to Trade Unions he said that it was a policy of encouragement and not of discouragement and they would always try to maintain amicable relations wherever possible.

Mr. Aney then withdrew the motion.

#### SEPARATION OF FINANCES

Mr. Neogy then moved a token cut of Rs 100 urging re-examination of the convention of separation of the railway finance from the general finance. Going into the history of the separation of finances, he said that the question first cropped up in 1899 and complaints were realised at that time that railways were being starved in India. The agitation was responsible for many commissions and committees and in 1923 the Railway budget was separated from the general budget. Mr. Neogy next pointed out the anomalies under the present convention and urged that the finances should be administered through the Finance Department.

Sir George Rainy said that Mr. Neogy was rather under a misapprehension. Remarkable improvements had been made under the present convention and if there was a flaw here and a flaw there, it would not be wise to condemn the system. He said that before the separation the income of the Railways was 106 lakhs a year while five years after the separation the income rose to 972 lakhs, in other words nine times more. Sir George had not concluded when the House rose for the day.



22nd FEBRUARY —Resuming his adjourned speech on this day, Sir George pointed out that, viewed from whichever point of view, it could not be stated that the results of the separation of railway finance had been such that the convention might be scrapped. He could not accept the view that, by doing away with the convention, every wrong would be put right as if by the magic wand. It would be difficult to formulate a scheme in which the whole railway administration could fit in. Moreover, it would be impossible to decide at a time when constitutional changes were to be made, and till they knew what the financial position of Government as a whole would be. The question of making any drastic change must, therefore, await the Reforms. Meanwhile, however, the defects in the working of the convention might be examined so as to ensure a salutary financial control. A suggestion had been made in this connection that good and useful advice might be obtained if a railway expert were brought from another country with experience of the management of the railway system. But he was really convinced that separation of some kind or other was essential if they were to get a commercial management of the railways and a successful administration. Concluding, the Railway Member said that if the suggestion of appointing a special expert to examine the working of the separation convention in certain aspects commended itself to the House, then Government would agree to it.

Sir Purshottamdas Thakurdas generally agreed with the Railway Member and commended the suggestion of inviting expert advice. He affirmed that the separation of railway finance had been beneficial to the railways and the country. It had been worked for nearly six years during which time it worked well on the whole. In fact State management of railways meant the separation of railway finance from the general finance of the country. At the same time ways and means must be devised to remedy the various defects. He felt that the working and enquiry by the special committee of the House must be continued with a view to securing that healthy control from the Finance Department which was possible even under separation. Separate railway finance enabled the Assembly to have a better say on the capital and revenue expenditure of railways than before 1924. The Assembly must have patience before urging the entire scrapping of the convention. The only serious defect he noticed since the separation of the convention was the surreptitious manner in which the Kalyan Power Scheme was carried out despite the fact that it was turned down by the Railway Finance Committee. Sir Purshottamdas Thakurdas reiterated the demand for assurance that Government would take over the management of the B. and N.W. Railway when the contract expired in December 1931.

Mr. K. C. Roy paid a tribute to Sir George Scuster's impartial handling of men and matters in the Public Accounts Committee meetings. The Railway Board was the most efficient unit of the administration. He regretted that Sir George Rainy had adopted delaying tactics in postponing the review of the convention. The House would not be satisfied with the Commerce Member's decision. Dual control was unhealthy and the Finance Member lost all interest in the railway budget. The position of the Financial Commissioner had no parallel in the annals of the Government of India.

Dr Ziauddin Ahmed said that the taxpayer's interest were not looked after. Regarding the Kalyan Power House, the Kangra Valley Railway and Lucknow Station, all were done during the separation period.

Mr. B. Das said that he was now convinced that separation resulted in extravagance. If it was argued that there was no real separation except in accounts, then it was easy to reverse the decision six years ago. Why should the whole country suffer for the follies of Sir Malcolm Hiley regarding the construction of the Kangra Railway? He pointedly asked what the non-official members of the separation convention committee had done since their appointment to it. They had been peacefully sleeping and that had suited Mr. Parsons all right. The Lee concessions were never meant to benefit railway officers. Yet their benefits had been extended to them. Finally, Mr. Das was of opinion that the Agents of Railways should not have powers to sanction schemes if they cost over ten lakhs.

Mr. Parsons, Financial Commissioner, agreed with Mr. Das that there should be one member to deal with the technical matters of railway administration. From his own experience Mr. Parsons found it difficult to speak for all the actions of the

Railway Department and yet conduct the work of the Financial Commissioner. He told Mr Roy that the Acworth Committee contemplated the emancipation of railway management from the control of the Finance Department. Strictly speaking, there had not been that full separation, but only a separation of accounts. The budget was really one and undivided still though presented separately for railways and general administration. Mr Parsons, continuing, informed Mr Roy that the Railway Department was bound to consult the Finance Department on any matter affecting the general ways and means and the position of the Government of India, and in practice the duty of seeing that this consultation did take place, fell on the Financial Commissioner.

Asked by Mr Roy whether in matters of difference between him and the Finance Department he had the right of access to the Governor General, Mr Parsons said that if the matter related to the Railway Department the Chief Commissioner had the right of access on it.

Mr Aney, as a member of the Convention Committee, informed the House that the Committee found many difficulties. It met thrice and had to discuss many points. It decided to frame the terms of reference and also prepared seventeen points and appointed a sub-committee to go into them. This was in March last. Since then the sub-committee met once in Bombay but a discussion arose on the point whether there was any statement on behalf of the Railway Board before the Simon Commission and if so what stand was taken regarding the constitutional status of the railways. But no information was vouchsafed. No further meeting of the sub-committee was held pending the return of Sir George Schuster from England. Mr Aney agreed to the necessity for a review of the convention but not for scrapping it.

Mr Kunzru urged the sub-committee to meet and report without avoidable delay. He wanted to know how the Chief Commissioner came under the Financial Commissioner in any matter. His function should be that of the financial adviser and no more. The House had been told that the Government were still considering the question of tenure of the Financial Commissioner. He insisted that the successor of Mr Parsons must be an Indian in accordance with the promises made in the Assembly, especially by Sir Basil Blackett, that the scales be loaded on the side of an Indian.

Mr. Neogy's motion was lost without division.

#### LOCAL GRIEVANCES

Discussions on other railway demands which came next tended towards expression of minor or local grievances. Mr Neogy, for instance, quoted three cases in which passengers had to go to the courts in order to vindicate their rights.

Other members complained of incivility to the traveling public.

Sir George Rainy promised to address the Agents of Railways to go into such cases whenever made.

Mr. B Das withdrew another cut relating to the failure of the Railway Board to settle the G. I. P. strike on the ground that the Railway Member promised to receive a deputation of the Railwaymen's Federation.

Mr. B Das complained of the paucity of railway lines in Orissa; but Mr. Parsons explained that the nature of the country there was such that railways were unremunerative.

#### PAUCITY OF MUSSALMANS IN RAILWAYS

Some heat was imported into the discussions when Mr Ghuznavi brought in the question of paucity of Mussalmans in railway services. He quoted largely from the last administration report of the railways and maintained that in many superior services the percentage was not even two. He indignantly asked what had happened to the promise that thirty three percent of the appointment would be given to minorities. Was he to understand that the Mussalmans were so few in the country as to justify this miserable percentage? Except in the North-West Railway, the situation everywhere else practically weighed in favour of the Hindus and others but not the Mussalmans.

Mr. Anwarul Azim objected to the Government policy of hide and seek.

Mr Hayman pointed out that seventy five per cent of Indianisation was very nearly reached. Mahomedans did appear for this superior services but did not pass sufficiently high to secure jobs. The policy of the Railway Board was to promote to administrative appointments the best available men irrespective of seniority. But in no case was Mahomedans superseded in this process. Those alloted were Hindus, Europeans or Anglo-Indians. On the other hand, the Railway Board went out of their way to select a Mahomedan as the Chief Medical Officer for the East Bengal Railway because he was an able officer.

Mr. Hayman had not finished when the Assembly adjourned till 24th.

#### ASSEMBLY GALLERIES OPENED.

24th FEBRUARY. — After thirty three days' gloom the galleries of the Assembly looked cheerful with a number of visitors. Mr Burtwain Ali, Assistant Superintendent of Police was appointed temporarily as Watch and Ward Officer and was looking after the arrangements from ten in the morning. Altogether, there were nineteen officials with blue coloured armlets bearing the words "W & W Legislative Assembly" to distinguish them from the ordinary police who were posted in the outer precincts. Ten out of the nineteen were those selected by the President and nine had been lert by the Police Department. Only two policemen in uniform, but with armlets, were seen in the galleries.

Resuming his reply to Mr Ghaznawi's question regarding parity of Mussalmans in the Railway service, Mr Hayman pointed out that with the limited number of posts and with the limited number of vacancies, the increase of Muslim percentage could not have been higher.

Interruptions and interjections continued and Mr Hayman retorted "We shall not be guilty of superseding the claims of men of other communities with a long service" (Col Gidney: Hear, Hear.)

Mr Hayman maintained that he was hopeful that the rate of progress of Muslim proportion would be faster in future and assured the House that the matter would be discussed with the Agents in March. Government strictly adhered to the resolution relating to one-third of the recruitment from the minorities. He then read out letters from the Agents showing their difficulties in recruiting and promised to issue instructions to the officers responsible for making the appointments to keep in mind the policy underlying the resolution. But nothing could be done which would be tantamount to injustice to the other communities.

Mr Ghaznawar Ali regretted that Mr. Hayman's speech was disappointing. Unless there was a definite order from the Railway Board that for a number of years recruitment would be only from the minority communities the existing position could not be rectified. He described the Agents' attitude as hostile and insulting. From personal experience he remarked that it was very easy to get an hour's interview with the Viceroy but one could not even get an access to an Agent and even if access was obtained it would be only for three minutes.

Mr. Abdul Mann (Choudhury (Independent)) criticised the fundamental rules framed by the Railway Board regarding the appointments to the services and said that these were such as to prevent the Mahomedans from coming in. The Mahomedans did not want special privileges, but due justice. The Mahomedans were sought after by Government in times of trouble like the boycott of the Simon Commission but were kicked off after the trouble was over.

Munshi Iswar Saran (Nationalist) urged Mahomedans to join in securing Indianisation and if that was achieved then it would be time to have a proportional distribution. He criticised Mr Ghaznawar Ali's suggestion that appointments for a number of years should be only from the minority community.

Sir Zulfikar Ali, leader of the Central Muslims, quoted figures from several branches of the railways for the last three years and said: "You cannot deny that the claims of the Mahomedans have been denied at the altar of fetish. If efficiency was to be the sole test then why not take only Europeans who were certainly more efficient than Indians—Hindus or Mahomedans."

Col Crawford stood for justice being conceded to the minorities, but pointed out that Mr. Hayman's speech was very conciliatory and satisfactory. He suggested

that Government should go out of its way and secure by advertisement and other means Mahomedans in required numbers to redress the inequality.

Mr. *Abdul Hye* (Independent) said that he was on the war path and while in favour of Indianisation, was opposed to "Hinduisation". If they accepted the assurance of Munshi Iswar Saran to let Indianisation be completed, and then the claims of Mussalmans would be considered, he felt there would never be an adequate representation of his community in the services. Government announcement to appoint Muslims as staff officers showed that Non-Muslims did not treat the Mussalmans fairly.

Pandit Madan Mohan *Malaviya*, supporting the motion, felt that Mussalmans had not been treated fairly in the services. He regretted that communal bitterness was imported into the debate, but asked the Government to take strong action against anyone who had been showing communal bias in the matter of recruitment. The integrity of public service required a full investigation of any complaint of communal bias.

Mr M A Jinnah felt that the motion had far-reaching effects. He held that there must be some cause responsible for the appalling figures of Moslems in the services. Year after year they had been pressing Government to take action and still matters stood very much where they were some years ago. He feared that there was a definite policy that Government were behind the paucity of Moslems in the services. The present policy left a grievance in the minds of the Mussalmans that Government knew that the Hindus would always stand for the best man for the job or the policy of the survival of the fittest and thereby would not have much sympathy with the Mussalmans. The result was that Mussalmans looked to Government for protection and occasionally Government threw a few crumbs to them. All this widened the communal gulf and created communal bitterness. He stood for efficiency, but competitive examination did not always produce the best results. He approved Pandit *Malaviya's* observations.

Mr Ghuznavi wanted to withdraw his motion in view of the assurance of Sir George Rainy and Mr Hayman. But many Mahomedan members objected. The motion for leave however to withdraw was carried by forty-three against twenty-six votes.

The nationalists as a party remained neutral as also Mr Jinnah and Mr Mahomed Yakub. Sir Zulfiqar Ali Khan was cheered when after considerable hesitation he went and voted against the withdrawal.

#### DACCA ARICHA SCHEME

Moving a cut to raise the question of the Dacca-Aricha Railway Mr Ghuznavi said that the recent visit of Sir George Schuster to London had something to do with the postponement of the project. He thought that the Inchcape Company must have persuaded him to plead for financial difficulty.

Mr. Neogy charged the Bengal Chamber for having uttered lies in their letter to the Government of India.

Sir G. Rainy—I have said we shall soon undertake the project.

The motion was lost and the Assembly adjourned.

#### NO RESERVED 3RD. CLASS

25th. FEBRUARY.—On this day Mr K. C. Neogy moved a token cut to inquire if Government's policy to reserve third class compartments for Europeans and Anglo-Indians had undergone any change.

Sir George Rainy said that the practice was dying out, but it still existed on the B. N., N. W., S. M., E. I. and G. I. P. Railways. Since the Bills of Mr. Neogy and Aney, however, the Government of India had reconsidered the matter and decided that the practice of such reservation should be entirely abolished on all State railway by the end of 1930 and that Company managed railways should also be advised accordingly. Mr Neogy thereupon withdrew the cut.

Mr. B. Das raised the question of the reduction of rates and fares, especially on the B. N. Railway. The House rejected the motion after Mr. Parsons explained that the B. N. Railway had given the lead in the matter of reduction of rates and fares, but the Board could not urge for a further reduction due to the present financial position of railways.

## BOARD AT FAULT

Munshi Isma'il Sarin next brought up the question of racial discrimination in railway services and, quoting figures, felt that either the Railway Board was incompetent or it was insincere in the matter of giving effect to the policy of Indianisation.

Dr B S Moonjee wanted equal opportunities for all. He felt that the present system of recruitment which was based on racial and communal discrimination should be done away with and replaced by efficiency tests.

Mr Fazl Rahimutoola wanted equal distribution of services between all classes of His Majesty's subjects and if there was any paucity of candidates he suggested establishment of advisory councils.

Rev'd Chatterji pointed out that there was racial discrimination in providing educational facilities to the children of Railway employees.

Sir George Runy, replying, stated that Government had drawn up a scheme which would afford assistance to the employees to get their children educated in primary and middle courses. He was personally not satisfied with the proposal and wanted to include the High School course. The financial aspect of his suggestion was being examined, but in the meanwhile the Railway Board would go on with the original scheme. Sir George Runy made it clear that there would be no racial discrimination for employees who had been recruited after February 1, 1929 but whatever privileges any community enjoyed in the railway service before that date would remain. The Board was adverse to undertaking a programme of establishing schools all over the railway, but if they were convinced that the establishment of schools was cheaper than giving assistance they would seriously consider the suggestion.

Considerable heat was generated when Col. Gidney spoke on the subject. He said that during the past five years, out of 52,646 appointments filled on the Railways, Anglo-Indians got only 672 which worked out to 12 per cent. Was there any vestige of racial discrimination in that?

The President told Col. Gidney that he had not permitted other members to attack Anglo-Indians as the member was in a minority, but if he wished to open himself to attack it was his look-out.

Mr. Yakub : Are you an Indian or a European?

Col. Gidney : I am an Indian but you won't admit me.

Mr. Yakub and Mr. Chetty : Why do you sit in the European ground? Col. Gidney : That's my business.

Mr. Kelkar : Government make a distinction between Indians and Anglo-Indians. Have you objected to that?

Col. Gidney : I take what I get. So would you. (Laughter) You are envious of the four thousand important jobs we Anglo-Indians have earned by loyal and patriotic work. It would not be possible for the railway administration in the country to be run without our work, specially when they are faced with strikes. When these men retire you can occupy the dead men's shoes, but don't kick them out. Now, I want a clear statement of policy from Government.

Pandit Hridayanath Kunzuru confined his remarks to discrimination in Jamalpur workshops in respect of Sunday allowances, quarters etc., and asked what effect has been given by the company-managed Railways to the circular of the Railway Board for the removal of racial discrimination.

Mr. Amarnath Dutt described how racial discrimination has been perpetuated in matter of railway construction in Bengal.

Dr. Ziauddin was not for pulling down the privileges but for giving equal opportunities to others. He urged the Railway Board to run their educational institutions for Indians.

Mr. N. C. Kelkar describing the Anglo-Indian as merely facing both ways wanted him to throw his lot with the Indians. Then only he would be treated on a footing of equality with the Indians.

Mr. Hayman, in winding up the debate, pleaded guilty to the charge of racial discrimination in practice in Railway workshops and on company-managed railways. But in the last eleven months, he had got compiled all the references to racial discrimination from Assembly debates and newspapers. The Government had now formu-

lated a set of new rules which are only waiting the consideration of the railway advisory council. He assured the House that when these rules were put into operation there will be no complaint of discrimination either in theory or in practice. He also told the house his intention to persuade the Agents of different railways, whom he expected to meet next, in the matter of speedier Indianisation. His past efforts so far have been successful for he succeeded in persuading the Agent of the B N R. to appoint three Indians in the Mechanical Transport Department. He promised to call for papers in case of Sunday allowances and do justice. Mr Hayman announced that the policy of the Railway Board now was to recruit men on the test of efficiency and seniority and not on communal or racial grounds. Mr Hayman was still speaking when it struck five and the President applied the guillotine after which all the demands were passed without division. The Assembly then adjourned till the 27th.

#### CANTONMENT HOUSING AND OTHER BILLS

27th FEBRUARY.—After some formal business on this day the House agreed on the motion of the Army Secretary to the passage of the Cantonment House Accommodation Bill but without Clause 6 which by the casting vote of the President had been deleted.

The Assembly passed on to the Finance Member's motion of the *Bill amending the Income Tax Bill* permitting reduction of payments like bonus, commission etc. from employers' income as business expense.

The *Insolvency Bill* was also passed and the *Companies Act Amendment Bill* providing for appointment of local accountancy boards was referred to a Select Committee.

#### THE RAILWAYS BILL

Discussion centered round Sir George Rainy's motion for consideration of the Railways Bill as amended by the Select Committee. The Bill applies the Washington and Geneva conventions about hours of labour on railways. A sixty hour week was fixed in the bill, but the Select Committee pointed out that the Government had under investigation the question of reducing the hours to lower than fifty-six for those railway servants whose duties were specially arduous and involved continuous concentration. Sir George Rainy emphasised that the Government did not consider that the maximum hours of work were the reasonable hours of work. He alluded to the appointment of supervisors whose work would be useful for they would report to the Government of India not only cases which involved a breach of the law but those in which the condition of things required improvement.

Mr Kelkar, a member of the Select Committee, who had signed the report in view of the promises made by the Government of special investigation to reduce hours of work to fifty six repeatedly asked why the Government of India took ten years to give effect to the conventions. He wanted definite assurance that the Government were definitely working in the direction to give effect to their promise.

Dewan Chamanlal thought that Mr. Kelkar should have demanded such assurance in the Select Committee itself instead of having signed the report rather blindly. It was wrong for India to have been exempted from the eight hours day as decided by the Washington Convention.

Mr. Chetty: No exemption was given.

Dewan Chamanlal said that under Article 10 India was placed on a differential basis of the sixty-hour week. He joined Mr. Kelkar in asking why it took ten years for the Government of India to bring a legislation applying the Geneva and Washington Conventions.

Mr. Kelkar remarked that because the Convention was to come up for review next year and the Government wanted to appear before the Convention with a good record.

Dewan Chamanlal: Exactly so. The Government want to look like angels before the Convention and want to make the world believe that India's representatives in the Assembly have agreed to sixty hours week. This is a dangerous principle and we must protest against it.

Mr. Shanmukham Chetty quoted Article 427 of the Treaty of Versailles recognising the differences in climate, habits, customs and economic opportunities and

industrial condition which make uniformity in conditions of labour difficult of attainment. That was why the ten-hour day was made a part of the Washington Convention, not as a matter of favour to Indian employers but as a matter of right. The United Textile Factory Workers' Association of Great Britain after conducting an independent enquiry in 1926 said that the workers did not work continuously for eight hours. Mr. Chetty warned the House of the repercussions of reducing the hours of work in industrial factories etc, and remarked that it was premature to plead for eight hours instead of ten hours.

Mr. Hayman contended that the Government started applying the Washington and Geneva conventions in workshops of state-managed railways almost immediately after it was passed and this was followed on company-managed railways. Now the Government allotted fifty lakhs for applying reduced hours of labour and seventy lakhs for more quarters. Thus the Government were moving as fast as they could. At the same time they should do nothing which would have a great repercussion in private factories.

Mr. K. C. Roy, a member of the Select Committee, supported the immediate consideration of the bill with a sixty-hour week from the point of view of the taxpayers' representative and one interested in private labour and railway efficiency. He informed the House that if forty-eight hours labour was introduced then the railway surplus would be swallowed up. He thought that railway employees in India were the best looked after lot, at any rate better looked after than labourers in private factories. He feared that the standard of efficiency of railway labour had gone down recently. No wonder railway grievances formed a large part of the question time. He incidentally suggested the appointment of a railway grievances committee as was done in England. The present bill was the result of careful enquiries wherein the committee was assisted by Sir George Rainy and Mr. Hayman.

The House accepted the motion for consideration of the Bill.

#### AMENDMENT FOR 48 HOURS

Mr. Abdul Matin Choudhury moving an amendment for forty-eight hours in Clause two described it as the act of social justice. He did not see any reason why railwaymen should be treated differently from postal employees who at present had thirty two hours week.

Pandit Kunzru wanted to know how much extra expenditure would be incurred if the amendment was accepted. He urged that in their dealings with railwaymen the Government should not forget the human factor.

Dr. Hyder looking at the problem entirely from a detached view point argued in favour of an eight-hour day. He said that shorter hours would increase efficiency and thus compensate for extra expenditure.

Mr. Gayaprasad objected to piecemeal tampering with the Railway Act when the Ackworth Committee recommended wholesale revision. He regarded overworking in railways as a public danger as it might result in accident.

Mr. Sarda also supported the amendment. Dewan Chamanlal pleaded for 48 hours in order to improve the physical, moral and intellectual well-being of workers. He met the argument of expenditure by suggesting a raid on the railway reserve which stood at thirty-five crores.

Sir George Rainy said that government could not give effect to the convention earlier because necessary machinery were not available until the appointment of Mr. Hayman as the Labour Member. They could not agree to the amendment because it would involve very heavy expenditure and they would not be able to give effect to 48 hours principle for several years because preliminary work had still to be done.

The amendment for forty-eight hours was rejected by forty-eight votes against fifteen. Other amendments were also rejected and the bill was passed without change.

#### Budget for 1930-31

The House adjourned to meet on the next day, the 28th. FEBRUARY when Sir George Schuster, the Finance Member presented the Budget for 1930-31. The disclosures made by him confirmed the gloomy forecasts in regard to duties on cloth and silver. Regarding the actuals of 1928-29 the Finance Member said that actual deficit was Rs. 1.06 lakhs in place of anticipated surplus of Rs. 30 lakhs which wiped off Rs.

74 lakhs standing to the credit of Revenue Reserve Fund and left Rs. 36 lakhs to be covered still. As regards 1929-30, the actual deficit works out at Rs. 146 lakhs instead of anticipated deficit of Rs. 90 lakhs only but owing to windfall of Rs. 156 lakhs derived by Government from German Liquidation account, account of 1929-30 would be balanced. Coming to the year 1930-31 the Finance Member estimated deficit of Rs. 552 lakhs under following heads.—Reduced income under Railways, Posts and Telegraphs 99 lakhs, Essential news services and demands 146 lakhs. Net addition to interest on dead-weight debt, 107 lakhs, Special provision for bonus on Post Office Cash certificates 88 lakhs, Increase in provision for reduction in avoidance of debt 27 lakhs, Budget deficit of 1929-30 90 lakhs. Total 557 lakhs. The net deficit is Rs. 552 lakhs after deducting Rs. 5 lakhs of increase of revenue under main heads. **BUDGET PROPOSALS**

(1) Reduction of export duty on rice from three annas per maund to two annas three pies per maund involving loss of revenue of Rs. 30 lakhs. (2) Additional revenue duty of four per cent on all cotton imports. (3) Protective duty of five per cent with minimum of  $1\frac{1}{2}$  annas per lb. on plain grey goods against all cotton piece-goods from outside United Kingdom, the protective duty to remain for three years only and to be reviewed by the Tariff Board before the end of that period. (4) Increase of excise duty on Kerosine from one anna to one and half anna and reduction of import duty from two and half annas to two and quarter anna reducing marginal duty in favour indigenous oil from 18 and three fourth per cent to  $9\frac{3}{4}$  per cent. (5) Increase of import duty on sugar from Rs. 4.8 per cwt to Rs. 6 per cwt yielding Rs. 180 lakhs. (6) Increase of income-tax by one pice per rupee on income of Rs. 15,000 and above with corresponding increase in super-tax in all grades other than flat rate of super-tax on companies. (7) Import duty of 4 annas per ounce on silver. The following is the full text of the Finance Member's speech.—

#### The Finance Member's Speech

In presenting my budget proposals this year, I intend to depart to some extent from the procedure which has been followed hitherto and to confine my explanations of the past, current and prospective conditions as far as possible, to a broad descriptive statement leaving the great mass of detail of figures to be supplied in the explanatory memorandum which will be circulated to Hon'ble Members, together with a copy of my speech. Nevertheless, it is necessary to give a good many figures in order to explain the situation and I am afraid that I have so many important matters to propound that it will not be possible for me to be very brief and Hon'ble Members will recollect that, in reviewing the position last year, I said that the main question for consideration in deciding our policy was whether the gap caused by the final remission of the provincial contributions in 1927 had been filled, or whether the time had come to recognise that it had not been filled and that it would be necessary to find some new source of revenue in dealing with the revised estimates for 1928-29. I pointed out that the results for the year had been or were likely to be improved by a number of fortuitous circumstances that is to say, a throw forward of land and customs revenue from the preceding year and an abnormal anticipation of salt revenue owing to speculation. I indicated that had it not been for these fortuitous circumstances we should have had to anticipate a deficit in 1928-29 and I, therefore, thought that it was clear that the gap to which I have referred had not been filled in that year. Subsequent events have re-inforced that conclusion. There was, in fact, a serious deterioration under several headings in the last two months of 1928-29, on top of which came an exceptional item, namely, a heavy drop in the amount which could be credited to revenue from the Gold Standard Reserve, due to the necessity for writing down the securities as a result of the raising of the Bank of England rate to  $5\frac{1}{2}$  per cent in the middle of February last. This last item did not, of course, represent a realised loss and will, in fact, be more than made good by extra receipts in the current year. As a result of these factors the year 1928-29 actually closed with a deficit of 106 lakhs, instead of with the surplus of 30 lakhs anticipated in my revised estimate last year. The exceptional items of deterioration to which I have referred, may be regarded as counter-balancing, to some extent, the special favourable items which I mentioned last year, so that, on the whole, the results of 1928-29 now appear more nearly in their true colours. What the result has meant to us is that, instead of being able to make an addition of 30 lakhs to the balance of 74 lakhs standing to the credit of the Revenue Reserve Fund the whole of that balance had to be drawn upon and we were left with an uncovered deficit of 32 lakhs.



## Review of The Year 1930-31

Turning now to the results for the current year 1929-30 though I can see no cause for anything like permanent pessimism for the future, there are many things which have increased the difficulties of the present. Failure of rains in some places, excessive rains with serious flood damage in others, combined with political uncertainties which have had an unsettling effect on commerce and industry have been factors special to India while at the same time, India has suffered from the General disturbance to world conditions caused mainly by the unprecedented stock exchange speculations in the United States, followed by the sudden and sensational collapse in October. The speculation was accompanied by a huge demand for money to finance stock exchange transactions at high rates of interest which attracted a flow of capital from all countries on a scale which has hitherto been unknown. The collapse seems likely to result in a period of business stagnation in America which has already produced a serious fall in the prices of all commodities. While the effect of these events on the monetary conditions in India has been apparent throughout the year under review the effect of the fall in prices on trade production is only now beginning to be felt. I propose to revert later to the general economic conditions in India. At the present stage it is only necessary to give a brief review of the actual trade conditions in the first nine months of this year.

**Balance of Trade**—The visible balance of India's trade, including private imports of treasure for the nine months ended the 31st December 1929 was 41.62 crores against 39.76 crores in 1928 and 53.07 crores in 1927. Exports of Indian merchandise, however, show a deterioration of about 8½ crores as compared with last year, which is accounted for by a large drop under jute yarns and manufactures (3.38 crores), jute, raw and waste (2.71 crores), wheat (1.46 crores), barley (1.58 crores) and hides and skins (1.36 crores). Rice exports, on the other hand, have been considerably more encouraging and show an improvement of 2.51 crores, while exports of cotton are also slightly better than last year (22 crores).

Imports of foreign merchandise also show a considerable drop as compared with last year (4.54 crores) which is shared by cotton yarns and manufactures (2.11 crores). Other yarns manufactures and textile fabrics (2 crores), iron and steel and manufactures thereof (1.39 crores). It is satisfactory to note that imports of rice which amounted to 1.49 crores in the first nine months of last year fell to 7 lakhs during the same months of the current year although imports of wheat increased from 1.75 crores to 3.64 crores.

Despite the fact that the fall in the exports is about twice than in imports the visible balance of trade has actually risen, as the net private imports of treasure also fell by 6.78 crores to 18.12 crores, which is the lowest figure touched since 1922-23.

The unfavourable factors to which I have referred have, of course, been reflected in our budgetary results, but, on the whole, we have been fortunate, in the sense that we have had certain special windfalls as a result of which I can anticipate that the accounts for 1929-30 will close without showing a deficit. In the first place we have found ourselves, as a result of the facts which I have already explained, without any balance to the credit of the Revenue Reserve Fund and therefore unable, from this source, to make good the deficit of 90 lakhs, which, as the Hon'ble Members will recollect, I had anticipated for the current year. Apart from this the results to date indicate on balance a deterioration, as compared with the budget estimate. While taxes on income, salt and net opium receipts indicate a probable improvement of 12 lakhs, there are deteriorations under customs (55 lakhs), miscellaneous payments (52 lakhs), railways (13 lakhs), posts and telegraphs (50 lakhs) and other heads (8 lakhs). I must here mention that the items affecting interest, that is to say, taking into account the outgoings and receipts together, only show a net deterioration of 3 lakhs, but the deterioration would have been considerably larger if we had not had exceptionally large receipts from interests on the Gold Standard Reserve. The high rates of interest prevailing for money during the first nine months of the year, combined with an appreciation in the value of our investments from the low point to which they had, as I have already explained, been written down on the 31st March 1929, have combined to give us an altogether exceptional figure under this heading. Our receipts, in fact, exceeded the budget estimate by 74 lakhs. I shall refer to this matter again. The result from all the figures which I have given is a net deterioration of 60 lakhs, as compared with the Budget estimate and this combined with the original deficit of 90 lakhs, which, as

explained, cannot be covered, as expected, by a transfer from the Revenue Reserve Fund, brings us to a total deficit of 156 lakhs. As against this, however, we can balance a special windfall, because we are able to bring into account a large sum held by us at the credit of the German liquidation account under the Treaty of Versailles, which, as a result of decisions arrived at the Hague Conference, will now accrue to the Government of India. By a curious coincidence, this amount is 156 lakhs and exactly balances the deficit previously disclosed on this basis. Therefore, the year 1929-30 will close with an even balance.

*Exceptional receipts*:—I do not, however, wish to give a misleading picture and we must fully realise that several exceptional receipts, apart from this special windfall, have contributed to the result. I have already alluded to the exceptionally high item for receipts under the heading interest on the Gold Standard Reserve and, in addition to this, there are several items which can hardly be regarded as normal. I would refer specially to the Sugar Import Duty, on which we anticipate a receipt of 835 crores as against the Budget estimate of 7 crores and Jute Export Duty, which, at 971 crores, is 50 lakhs above what I consider to be a safe and normal figure. Further, the revised estimate for taxes on incomes includes a special windfall of 30 lakhs as the net result of certain judgments in the Privy Council. I refer to these matters because in any review of the position undertaken for the purpose of considering future policy, it is necessary to eliminate exceptional items of this kind. If, on this basis, we examine the position since the final remission of the Provincial Contributions, we find that, in 1927-28 a deficit of 221 lakhs, in 1928-29 a deficit of 106 lakhs, while for 1929-30 the figure which I have given sufficiently clearly explain the position. These results indicate that, taking into account the unavoidable increase in expenditure and even making allowances for the present depressed trade conditions, the gap caused by the remission of the Provincial Contributions has not, on a normal estimate of revenue and expenditure, been fully filled.

### Prospects for the Year 1930-31

*Repercussions of Lahore Decisions*.—I must now turn to the prospects for the next year 1930-31, so arranging my statement as to indicate as clearly as I can the main frame work of the problem with certain preliminary explanations. First, on a matter of detail in the figures which I am now going to give to the House, I shall eliminate receipts on account of the two-anna petrol tax which are off-set by the block grant on the other side to the Road Development Fund. Secondly, in my forecast for the next year I am not taking into account the possible effects on revenue of the serious disturbance or the practice of Civil Disobedience. Even if we could consent to the assumption that the threats of such action will be realised (which of course, we cannot do) it would be impossible to estimate its effects. Nevertheless I cannot avoid taking some account of the reaction of the attitude of certain political leaders and parties on business conditions in the country, for to some extent, that reaction is already an established reality. A serious blow has been given to confidence, both within India and outside it, by the doctrines preached in December last at Lahore and since then, throughout the country. In saying this I refer not only to the threat of repudiation of debts, which I am convinced that no responsible Indian takes seriously, but also to the general programme of Civil Disobedience and the attitude of hostility to the British connection and British interests. It is not for me in a financial speech, to express views as regards this policy or the ideals which underlaid it. I only wish to refer to the inevitable economic results.

Translating this view into a practical appreciation of the budgetary prospects for the next year, I am forced to the conclusion that, even allowing for a reasonably good monsoon, the prospects of trade cannot be regarded as very bright. World conditions are against us and the chances that business in India can develop favourably, in spite of these adverse factors are very seriously reduced by the blow to confidence in new enterprise, which has been given by the conduct to which I have referred.

*Main Heads in Revenue*:—Adopting this appreciation of the position, my forecast as regards the main headings of revenue would be as follows:

Customs: I am allowing for a net deterioration, exclusive of the Road fund receipts, of 109 lakhs, as compared with the budget estimate of the current year and of 42 lakhs, as compared with the revised estimate. The total estimate for customs, exclusive of the Road Fund receipts, is thus put at 49.30 crores.

**Taxes on Income** I expect we shall collect 17.30 crores which is 70 lakhs more than the original estimate of the current year. This latter, as explained in my last budget speech, was abnormally low as a result of speculation.

**Salt** I have assumed a receipt of 7.05 crores, which again is 70 lakhs more than the original estimate of the current year. This latter as explained in my last budget speech, was abnormally low as a result of speculation.

**Opium** Compared with the budget for 1929-30 next year is expected to show a drop of 30 lakhs in receipts as a result of the ten year programme and of 7 lakhs in payment a net diminution of 26 lakhs.

The net result is that, so far as the main heads of general revenue are concerned there will, on the basis of the existing taxes, be a net growth of no more than 5 lakhs as compared with the budget estimate of the current year.

**Deterioration in Railway and Postal Revenue**—Turning to departmental transactions, this House is already aware that the contribution from the railways to general revenues is likely to be less satisfactory than in recent years. The total is estimated at 5.74 crores as compared with the budget figure last year of 6.25 crores, showing a net deterioration of 51 lakhs. In Posts and Telegraphs prospects for next year are likewise unsatisfactory. It is necessary to anticipate a deficit of 48 lakhs on the Indian Posts and Telegraphs Departments and of 8 lakhs on the Indo-European Telegraph Department. Taking into account the capital expenditure charged to revenue the net deterioration as compared with the Budget Estimate of the current year is 18 lakhs.

It will be seen, therefore, that, of the two large commercial departments of the Government, the Railways and the Posts and Telegraphs Department, we have to anticipate a total deterioration of 99 lakhs, as compared with the Budget Estimate for 1929-30.

### Main Heads of Expenditure

**Administrative Charges and Debt Services**—I will now turn to the main heads of expenditure. In dealing with this I intend, throughout my remarks, to draw a distinction between normal administrative outgoings and those other heads, such as Debt Services, where we have to meet either charges for the service of our loans or make provision for redemption or security. Expenditure of this sort falls in a different category for the charge for the service of the loans is avoidable, while to provide money for security provisions cannot be criticised as extravagance but is on the contrary a thing to be commended as sound and prudent finance.

Having drawn the distinction between those two kinds of expenditure I will turn to examine the former namely the whole field of normal administrative expenditure. It is on our action in this field that I expect and indeed desire Hon'ble Members to turn their most critical scrutiny. There is a general demand for retrenchment and economy on the one side and on the other there is the persistent and insistent pressure for increased expenditure on particular projects such as the improvement of conditions of service, education, hospitals and sanitary arrangements, agricultural endowment, police measures, roads, etc. and very often those who press most vehemently for retrenchment in general are among the strongest supporters of particular proposals for new expenditure. I shall deal later with the general position as regards an economy survey and the possibilities of retrenchment. For my present purpose I merely wish to give some indication of the total amount of new demands for which after the most careful scrutiny and rigid exclusion of everything that is not necessary, we have thought it essential to provide. In what I have now to say I shall be comparing the Budget Estimates for 1929-30, because it is in this way that I can most clearly present the problem.

**Increased expenditure on time scale**—In the first place there are the normal increments in rates of pay for the existing staff of Government officials. Now that a time-scale basis has been adopted in practically all departments this is an inevitable commitment and unfortunately we have not yet approached anything like the peak figure. It is very difficult to frame an exact statement of the yearly increase due to this cause but I am satisfied, after careful investigation, that a fairly reasonable estimate of the total increase under this heading as compared with the Budget Estimates in the current year is 25 lakhs.

**Special Items of Expenditure**—Apart from this there are a number of new demands of a special nature which are of sufficient interest for me to call the attention of the house to them.

Census Operations 11 lakhs. This requires no special explanation. It is an expenditure which has regularly to be undertaken every ten years and is not a normal annual charge.

Grant to Aligarh University 5 lakhs. This grant is made in accordance with the undertaking which has already been given by the Government in this Assembly.

Recurrent Grant for Agricultural Research 5 lakhs. This is the first year in which this grant figures in the Budget Estimates. This money is to be devoted to special schemes for agricultural research and is additional to the annual expenditure of about 2½ lakhs which is also included to its full extent in the budget this year to meet the charges of administrative staff.

Special Fund for Financing Measures for the Encouragement of sugar cultivation 10 lakhs. This is an item to which I have special pleasure in making reference as it represents a first step in a definite constructive policy by the Central Government taken up as a sequel to the recommendations of the Agricultural Commission. It is to be hoped that this combined with other measures included in my budget proposals, will leave a definite and far-reaching effect on the agricultural production of India and the material prosperity of cultivators in the sugar-growing districts.

*Banking Enquiry.* Banking Enquiry—7 lakhs. This requires no special explanation as the circumstances are familiar to Hon'ble members. There was no corresponding provision in the budget for 1929-30. Although I had to ask for a supplementary grant for the current year I will only take this occasion for saying that I have great hopes that the Banking Enquiry may represent the first chapter in a long story of development of India's resources under the leadership of Indians. Much valuable work has already been achieved and in time the country will come to appreciate the work of and express gratitude to those on the provincial and central committees, who have taken the lead in this work. I do not wish myself now to select any particular names for mention but I should like to express general satisfaction and gratitude for the whole-hearted co-operation which I have received. My Hon'ble friend, Mr Kelkar, in the course of his speech in the budget debate last year, told me that the spirit of co-operation was dead. I ventured on that occasion to express my disbelief in this dictum and I am glad to be able to say that my experience during the last twelve months has supported my view. As I have said on many occasions, I do not expect that any striking and spectacular measures can be produced immediately as a result of the interest evoked by the enquiry and the education of public opinion which the reports will produce as a result of this enquiry. We shall have a simultaneous survey of conditions throughout India of a kind which has never before been achieved and I am certain that this survey will throw into high light the field for work to improve conditions, while, from the recommendations which will be made, we shall get valuable help as to the nature of the work to be undertaken. I have great hopes also that, from the Provincial Committees and from the Central Committee, there may spring up some form of permanent organisation for keeping watch on the field for action, learning lessons from the development which takes place and proposing new measures from time to time as the need for these becomes apparent. I have been told sometimes that the procedure adopted has been cumbersome and unbusinesslike but I have been very gratified to find that, as the result of the enquiry and the interest taken in it, those who criticised it at the beginning have tended to change their view. Possibly viewed as an act in one of the late chapters in the history of an old and experienced bureaucracy there may be something of an amateur and unbusinesslike nature in the procedure which we have chosen, but I prefer to regard it not in this light but as an act in the first chapter of a new volume in the history of India's constitutional and social evolution. Doubtless mistakes have been made and doubtless much of the work may prove to be of an amateur and inexperienced nature, but, if mistakes have been made, they will be mistakes from which further experience will be gained and nearly all of those who gain experience on the various committees in this enquiry will remain in the country and be capable, in their further public service of giving the country the value of that experience.

*Whitley Commission.*—The next special item to which I come is the Royal Commission on Labour for which the increase over the budget provision in the current year is 5 lakhs. This again is a subject well-known to the Assembly and again it is an enquiry which one may hope will produce results of lasting value to the country and of great benefit to the wage-earning classes.

*Development of Territorial Force.*—A further item of special interest is a

provision for the next instalment in the programme for developing the Territorial Force in India of 5 lakhs. This grant will provide a further instalment in the current programme and will mean principally the improvement of training facilities for existing units and the raising of two new Urban Companies.

*Development of Civil Aviation.*—The largest item of special new expenditure to which I now come is that on measures to be taken for the development of civil aviation, the total of which, including many non-recurring items, amounts to 24.5 lakhs. The policy which has been adopted in this matter is now wellknown and the Government's plans have been fully discussed and considered in the Standing Finance Committee. In framing their policy the Government have endeavoured to meet the wishes of the non-official representatives in this House and I would only take this occasion to remark that the greater part of the expenditure which we are now undertaking, particularly that for the provision of ground organisation and meteorological facilities, is really forced on us by international obligation.

*Miscellaneous new items.*—Apart from the above items I will select for special mention the following: further instalment of the programme of medical and public health improvements in centrally administered areas 35 lakhs, broadcasting 27 lakhs, special repairs to flood damages in the North-West Frontier Province 5 lakhs, Andamans reclamation (increase in grant made in 1929-30) 5 lakhs, mechanical extraction of timber in the Andamans 2 lakhs, forest conservancy in the North-West Frontier Province 15 lakhs, new staff and equipment for the Imperial Department of Agriculture 15 lakhs, agricultural development in Baluchistan 5 lakhs, appointment of Indian Trade Commissioners overseas and strengthening of the superior staff of the High Commissioner for India in London 5 lakhs. The total of the above items is roundly 95 lakhs. To this must be added a sum of 2.6 lakhs for miscellaneous new items. These together with the sum of 25 lakhs to which I referred at the beginning as representing the increase on account of increment of pay bring the total of the new expenditure for which we have to make provision in the budget to 146 lakhs.

I have risked wearying the House in giving these details, because I have been anxious this year to place before the Honble Members a full picture of the problem which we really have to meet and I have thought that, by analysing and selecting the new items of expenditure, I should enable them to understand the case more clearly than can easily be done by a scrutiny of the very complicated volume in which the demands for grants are set out. The items to which I have referred are those in regard to which, as I have said already, the Government's policy, as regards economy, is chiefly to be tested.

*Interest on Ordinary Debts.*—I must turn now to those headings of expenditure which fall into the other class and I would refer chiefly to the Government's debt obligations. I shall first deal with the ordinary interest payments. Interest on ordinary debt shows an increase of 46 lakhs partly as a result of large Treasury Bill transactions and partly because a larger provision has been made for the cost of conversion operations. Interest on other obligations, including provision for cash certificates on the basis hitherto which has been adopted, shows an increase of 61 lakhs, of which 15 represents higher rates of interest to be allowed on Provident Fund balances and 21 is accounted for by higher borrowing rates:—

*Interest on Gold Standard Reserve.*—Interest receipts are put at the same figure as in the Budget Estimate for the current year 3.45 crores and here I would explain that we propose in future to adopt a more Conservative system as regards the gold standard reserve interest. We propose in fact to treat £1,000,000 as the standard figure of revenue. If in any year the actual receipts exceed this sum, half of the surplus will be added to the revenue and one half will be transferred to an Equalisation Fund, which fund will be available to be drawn upon to make the receipts up to the standard figure of £1,000,000 in any subsequent year in which they fall below that level. It is, I am glad to say, possible to make a start by putting a balance in this fund immediately. The actual receipts for 1929-30 are estimated at £2,400,000 and out of this sum it is proposed to make a start by placing £100,000 to the credit of the Equalisation Fund. For the coming year we estimate the receipts at £1,700,000 so that acting on the rule which I have stated we propose to include £1,650,000 in the Budget Estimates of Revenue and to transfer the balance of £50,000 to the Equalisation Fund. I am convinced that this proposal represents a great improvement in our system and is in accord with the principles of sound finance. The fluctuations which have occurred in the past have been of so wide a nature as to be embarrassing to the budgetary

position and to create a misleading impression as to our general revenue I need only quote the example of the last two years. For 1929-30 the ultimate figure was £1,243,000 while for 1929-30 as I have already stated the revised estimates put the receipts at no less than £2,400,000. As I have already explained, the figure which we are now taking gives us the same total of interest receipts as in the budget for the current year and therefore allowing for the increase in interest payments the net deterioration under the general head of interest is 107 lakhs.

*Post Office Cash Certificate*—I now come to the subject of the special provision to meet our liability in regard to Post Office Cash Certificates. Hon'ble members are so familiar with this subject that I need not go into great detail. The amount which we calculate as likely to be payable next year in respect of bonuses is one crore, but this the Hon'ble members are well aware, is something much less than the liability which will actually accrue during the year. The total balance remaining in the hands of the Government from receipt from cash certificates will amount in the close of the current year to 35½ crores so that the provision of 1 crore represents less than 3 per cent. On this I have carefully calculated what the full amount of the liability which will accrue during the next year will be and it comes to a figure of 188 lakhs. If, therefore, we are to make full provision for this accruing liability we ought to find another 88 lakhs for the purpose and it must be remembered that this will only cover the liability accruing during the year and will include no provision for meeting the liability which has already accrued. I have come to the conclusion that this accrued liability must be regarded now as part of the Government's debt and that, having regard to the provision which we make annually for reduction or avoidance of debt the situation in regard to this is not unsound, but we feel no hesitation in saying that the time has come when we ought to make full provision for the liability which, in future, will annually accrue. Therefore I have to provide for this new charge of 88 lakhs.

*Reduction or Avoidance of debt* :—I next come to the provision for reduction or avoidance of debt. As Hon'ble Members will recollect, I stated in my budget speech last year that I proposed to bring this under review in accordance with the arrangement originally fixed and I promised to take the representatives of this house into my confidence before making any change. In accordance with this undertaking I have communicated on two occasions with the leaders of the non-official parties in the House. On the first occasion I asked whether they have any suggestions to make and to this request, I received no response. On the second occasion I informed them that, after my own consideration of the matter, I had come to the conclusion that our arrangements in this respect were so closely connected with the arrangements for the Railway Convention that I thought that the two reviews ought to be undertaken concurrently with one another. My reason for this view is shortly as follows :

*Railway Convention* :—According to the present Convention the Government receive, in addition to the refund of the actual interest which the Government have themselves to pay on loans raised for railway purpose, a contribution which although it is made up of various elements, may be regarded as a percentage on the capital advanced to the railways. Looked at in this way, it represents the distribution of even less than 1½ per cent on the Government debt, which forms the basis of the present provision for the reduction or avoidance of debt. In fact I think it is on broad lines correct to regard the one as balancing the other and we shall arrive at a truer picture of what the Government draw from the railways if we realise that, in fact, the Government get no profit but apply practically all that they receive, apart from a refund of their own interest payments, for the amortisation of their capital. When, therefore, the contribution falls below a certain figure the Government, if they made up their accounts on a profit and loss basis, would actually show a net loss on the year. This is not the occasion for me to examine the justice or otherwise of this arrangement, but I think that what I have said is enough to show that two arrangements are closely inter-connected. I may say that when I represented this close inter-connection to the leaders of the various parties the response, so far as I received any, appeared to me to indicate a general agreement with my view that the conventions must be considered together.

I feel, moreover, most strongly, on general grounds, that this is not the time when, keeping in view our credit in the world, we ought to attempt any substantial diminution in our provision for reduction or avoidance of debt. Anything that savours of a "raid" on a public sinking fund is normally, and I think quite rightly, viewed with disfavour. I hope therefore that I shall have general agreement from

Hon'ble Members that it is better to leave this provision substantially untouched and to bring it under review at the time of the general revision of finances, including a re-distribution of the sources of revenue as between the Central Government and the Provinces, which must be a sequel to the proposals of the constitutional revision which will shortly be before us.

I have however thought it justifiable to introduce two small changes in our present system. In the first place, we are regularly in receipt of certain annual payments on account of Reparations. These have hitherto been added to the provision for reduction or avoidance of debt, but, on the view which I have taken above, this provision is at present adequate by itself and I do not think that there is any justification for increasing it by the adventitious addition of Reparation receipts. I feel the more justified in adopting this view for the next year, because I propose next year, for the first time, to make adequate provision for reduction or avoidance of debt which will be available for other purposes and I think we may regard it as earmarked against the provision which I am making for the Post Office Cash Certificates. The second change which I am proposing is of a minor nature. I have found that, in regard to the sterling debt incurred since the 21st March 1933, the rupee equivalent on which the percentage for reduction or avoidance of debt is based is still reckoned on an exchange rate of 1s 4d. I am proposing that the conversion should be made at the present statutory rate, which is obviously the correct basis. This makes a difference of 12 lakhs. Even allowing for these two changes the increase in the provision for the reduction or avoidance of debt is 27 lakhs, the total amount standing at 6 crores as compared with 5.73 crores included in the budget estimates for 1929-30.

*Main problem of the Budget*.—I can now recapitulate the position in order to show the problem with which I have to deal in balancing the budget next year. Comparing our position with that provided for in the budget estimates of 1929-30, I have to provide for the following items:

Deterioration in the main commercial departments, railways and posts and telegraphs, 99 lakhs.

Essential new services and demand, 146 lakhs.

Next addition to interest on dead weight debt, 107 lakhs.

Special provision for bonuses on Post Office Cash Certificates 88 lakhs.

Increase in provisions for reduction or avoidance of debt, 27 lakhs.

To these items must be added the budget deficit of 1929-30, namely, 90 lakhs.

This gives us a total of 557 lakhs against which the net improvement on the main revenue heads is only 5 lakhs.

There is thus a total gap to be filled of 552 lakhs. The problem before us is how to fill this gap.

*Two guiding rules of expenditure*.—In the first place I must make clear the principles on which I have endeavoured to act this year. In dealing with expenditure demanded I have set before myself two guiding rules. The first is that no administrative expenditure shall be admitted which is not either essential or productive. The second is that whatever new expenditure is admitted on these grounds must be balanced by corresponding economies. There must, in fact, be no net increase in the normal outgoings of the Government. These rules have been followed in my proposals.

*Reduction in Military expenditure and Civil estimates*.—In stating my problems I have shown that the essential additions for new services and demands amount to 146, and, according to my rule just stated, this must be balanced by corresponding economies. Actually, as a result of the elimination of certain previous new recurring items and of other variations there is an economy in the Civil Estimates of 62 and on top of this I am providing for a reduction of military expenditure of 80. This is to say, the net military grant, apart from expenditure on the territorial force, will be reduced from 55 crores to 54.20. These two reductions together account for 142 lakhs against the new expenditure of 146 and I have thus been able to comply, within a very narrow margin, with the rule which I had set myself.

This is, in broad outline, a true presentation of the picture though I have, for the sake of brevity, omitted a mass of minor confusing details. I might present the same picture in another way, so as to provide Hon'ble Members with a cross-check on my statement. They will find, from an examination of the budget estimates, the following net changes in the main heads of normal outgoings:

Civil Administration—plus 60.

Other direct demands on the revenues—plus 3.

Miscellaneous—plus 10.

Civil Works (other than road fund)—minus 3 or 1.

This makes a total increase of 70, against which may be put the reduction in military expenditure of 80

*How reduction in army estimate was brought about* —I must, at this stage, say a few words on this last item, which I am sure the Hon'ble Members will view with considerable satisfaction. The actual arrangement which I have been able to make with the Army authorities on this subject requires explanation. This House will recollect that, in order to enable the Army to carry through their plan of re-equipment, a programme had been arranged providing for a specialised military budget (exclusive of the expenditure on the Territorial Force) at a net figure of 55 crores for the four years beginning 1928-29 and ending 1931-32. According to this programme we should have before us two more years at 55 crores with the prospects of a reduction at the end of that period when the programme of re-equipment is completed. In the budgetary proposals which I am now presenting we are taking advantage immediately of part of the ultimate reduction. This is made possible because the army authorities have been able to agree to spread the programme of re-equipment which remains to be carried out over a period of three years instead of two. This means that instead of getting 55 crores in each of the next two years to be followed by a drop in the third year, they are to work on a basis of getting 54.29 crores for each of the next three years, after which a further substantial drop is anticipated.

The result is that, although we are not departing from the original programme of re-equipment, we are distributing the burden in a way which is fairer to the taxpayer of to-day and we are actually realising now a substantial part of the economy which was ultimately hoped for. I trust that Hon'ble Members will be gratified by this definite sign that the army expenditure is really to be reduced.

I may now turn back to my main problem. The two items of savings to which I have referred amounted to 142 lakhs. This reduces the gap of 552 lakhs which I have to find funds to fill to 410 lakhs. This can only be done by finding new sources of revenue and it is to my plan for achieving this purpose that I must now turn.

#### The Budget Proposals

*New sources of revenue* —The sum required is substantial and the provision of funds to meet it has been as Hon'ble Members will readily recognise, a matter for prolonged and anxious thought. I believe, however, that it can be found by measures which, not only will not impose an oppressive burden on any class, but will, in their indirect results, actually stimulate the country's economic development. The measures which I shall propose include changes and reduction as well as increase in the custom duties affecting rice, cotton, piece-goods, kerosene, sugar and silver supplemented by a small change in the income tax.

*Reduction on Rice duty* —I will start with a proposal for a reduction of duty I am proposing and I feel sure that the House will welcome this proposal—a reduction in the export duty on rice by one quarter. That is to say, from 3 annas a maund to 2 annas 3 pies a maund. There has been, as the House knows, a world-wide fall in the price of rice and the present time is, therefore, opportune for giving some help to the cultivator in Burma, who has been a sufferer from this fall in prices. My proposal will remove the disparity which at present exists between our export duty on rice and that imposed by Siam, one of Burma's principal competitors in trade. This proposal will cost us 30 lakhs. A larger sacrifice of revenue from this source could not, in the present circumstances, be justified. Although Burma, which is mainly interested, is far from us, I hope that this plan will commend itself to the House and be regarded as an act of justice and a step in the right direction. It means, however, that the gap which I have to fill is increased to 440 lakhs.

I must now explain my proposals for raising the necessary new revenue and I will make a start with the most difficult question which we have had to consider—the Cotton Duties. Here two motives come into play. First, the provision of revenue; second, assistance to the Indian cotton mill industry. Our line of action must take into account both these motives. Though I, as Finance Member, am not directly concerned with the second, which properly falls within the province of my Hon. Colleague, the Commerce Member, it has been decided by the Government of



India that I should take this opportunity to announce the whole of the Government's proposals.

*Problems of Protection of Cotton Trade* — Action taken for the provision of revenue is a straightforward matter, but the consideration of protective measures raises much more serious difficulties. Let me state as briefly as I can how these difficulties have appeared to us.

There is, of course, at the outset the obvious problem of reconciling the interests of the producer and consumer. Measures of protection must be so designed as to be effective for their purpose, with the minimum interference as regards prices to the consumer.

But, apart from this, there are certain special difficulties in the present case. In the first place, the whole question of protection of the cotton industry was investigated by the Tariff Board, a comparatively short time ago, but the case which has now been presented on behalf of the mill-owners claims a measure of protection greatly in excess of anything recommended by the Tariff Board. In these circumstances a further enquiry might reasonably be considered desirable, but, as against this, we are told (and it is a fact which we cannot dispute) that the case is urgent and that if action is to be effective it ought not to be delayed.

In the second place the conditions affecting the industry are not identical throughout India. Bombay is at once the most important centre of the cotton mill industry and the centre more seriously menaced by foreign competition. At other centres the average profits of the mills are nowhere high in relation to the capital invested in them. But throughout the world the industry is passing through a period of depression and low profits are not a valid ground for special assistance.

*Duty of Bombay Mill-owners* — In the third place, as was pointed out by the Tariff Board, the increasing competition from the up-country mills is one of the important factors contributing to the depression in Bombay. Therefore, whatever measure of assistance is accorded to the industry as a whole, it is likely to be ineffective in ensuring permanent recovery to Bombay unless the industry there seizes the opportunity afforded by that assistance to reorganise itself and increase its efficiency.

Moreover, there is another aspect of this question in which the public and the Government are greatly interested. Bombay has been the scene, during the last two years of a prolonged and exhausting struggle between Capital and Labour. Without pronouncing judgment on either side or anticipating the views which may be expressed by the Royal Commission on Labour, which is now sitting, it is fair to say that there can be no permanent restoration of prosperity to the Bombay industry unless the relations between Labour and Capital can be improved and all the conditions affecting Labour brought up to a higher standard. These two considerations have, in the present case, a special significance, for the Government are being asked to take emergency measures not to protect an industry in the early stage of its development until it can find its feet rather to save an industry (or more accurately, one important section of it) which is suffering from a special deterioration or atrophy.

Although the report of the Fiscal Commission admits that protective measures are justifiable in such circumstances the Government feel that emergency action not immediately preceded by a Tariff Board Enquiry ought to be taken only if it can be shown that inaction might inflict grave injury on the national welfare. They feel also that, if such emergency action is taken, a special responsibility, far more serious than any that exists when the protection of an infant industry is in question, rests upon them as trustees for the public to take all possible steps to ensure that the assistance given will be utilised to the full. In such cases it might sometimes be possible to make the adoption of protective measures conditional on effective reorganisation by the industry itself. But here the urgency of the situation creates a special difficulty. If action is to be effective it must be immediate and if the Government were to insist on certain steps being taken as a condition precedent to any measures of assistance to the industry these measures might come too late. Nevertheless, this aspect of the matter cannot be ignored and I shall refer to it again.

*15 Per cent Cotton Import Duty* :—I think that in these remarks I have sketched in broad outline the main frame-work of the problem which concerns us.

The conclusions which we reached fall under two heads. First, that in view of the revenue position, a general increase in the revenue duty from 11 per cent to

15 per cent was justified, secondly that, while this increase in revenue duty must have an important protective effect, it might be justifiable to supplement it by some special protective measures provided that, having regard to the special circumstances to which I have called attention, such measures were limited in duration and also limited to purposes necessary to meet the immediate needs of Bombay. In fact, it would not be justifiable, at this juncture, as regards protective measures, to attempt more than to erect a temporary shelter under which the Bombay industry can reorganise itself and, after a reasonable period for this purpose, it will be necessary to have a Tariff Board Enquiry to consider future policy and in particular how the Bombay industry has reacted to the assistance given.

I shall refer again later to the precise significance of this purpose, but at this stage in my account I must turn to one aspect of the matter on which I have not yet touched. It is, of course, too well-known to need remark that in all public comments on policy as regards Cotton Duties the possible reactions on British interests are always prominently mentioned and that we as a Government are often suspected of undue solicitude on this account. Having regard to the long and troubled history of the Cotton Duties in India and to the public interest in the matter it has been our desire to put before this House as full and frank a statement as possible. Let me make it clear at the outset that the Fiscal Autonomy Convention is a reality and the decisions on matters of this kind are left to the Government of India and it is on this basis that our deliberations have proceeded throughout. But, in the final stages, there has been addressed to us a communication, not by the Secretary of State but by His Majesty's Government to reconsider the position.

*British Government's Message*—In this message His Majesty's Government asked us to take into account both the reactions of our proposals in India and their serious effects in England. We replied that, though we were deeply impressed by a message of this nature we nevertheless felt bound to adhere to our main proposals. We pointed out the following considerations: first, that we needed revenue; and secondly, that customs is our chief source of revenue; and thirdly, the duty on cotton piecegoods now stood below the level of the general revenue tariff; and fourthly, the Indian industry was suffering from a deep depression and the Bombay mills were approaching a desperate position which might affect the whole future of this important centre of Indian commerce and finance. We recognised and deplored the possibility of serious effects in England, but we stated we felt clearly bound to put India's interests first.

At the same time we realised how important it was to India, from the political point of view, to take account of British opinion and that, quite apart from this, we were of course concerned at this time to avoid unnecessary injury to British interests. We stated that, after careful consideration, we had decided that we could not modify the general application of the 15 percent revenue duty but that we should be prepared to propose to the Assembly that, as regards any additional and temporary protective measures, their application might be limited to non-British goods and that in these circumstances there should be imposed in addition to the 15 percent revenue duty a 5 percent protective duty, with a minimum of  $3\frac{1}{2}$  annas per lb. on plain grey goods against all cotton piecegoods from outside the United Kingdom. This protective duty to be in force for three years only and an undertaking to be given that we should have its effects examined by the Tariff Board before the end of this period.

*Suggested Special Duty on Non-British Goods*—We explained that in placing this proposal before the Assembly we should point out that, so far as we were aware this was the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and that we were impressed by the significance of the precedent so established.

We informed His Majesty's Government that it would not be right for us to ask the Assembly to commit themselves to Imperial Preference as a principle, but merely to adopt a particular course, which, in our judgment, was consistent with India's interests at a critical juncture when much might depend on India's appeal. We also stated that we should have to make it plain to the Assembly that while there were grounds for treating plain grey goods specially, we could not in any circumstances agree, for the emergency purpose which we had in view, to an additional protective duty of 5 per cent on all cases of piecegoods irrespective of the country of origin, since the immediate benefit to the Indian producer would be wholly incommensurate with the burden imposed on the Indian consumer. Finally,

we made it clear that in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly, with whom the final decision must rest.

That is how the matter stands and it is on this basis that our proposals are now put forward. I have thought it right frankly to put the position before the Hon'ble Members in this way. Indeed, whatever our proposals had been we could have consented to no other course, for we feel that it is essential, at this transitional stage of the constitution, that there should be full confidence, wherever possible between the Government and the Legislature. There are certain points with reference to what has passed between ourselves and the British Government and to the attitude which we adopted, on which I desire to give a further explanation.

We felt, in fact, that this method of approach from the British Government had a special significance. It affords striking evidence that the Fiscal Autonomy Convention has become an integral part of the constitution and that even when British interests are most profoundly affected by tariff changes in India the intervention of the British Government is restricted to representation and appeal. Complete freedom was accorded to the Government of India to take the final decision in whatever manner they thought right for India. It appeared to us that, subject to our paramount duty of considering Indian interests, first, no Government of India could ignore such an appeal, for to any statesmanlike views it must be clear that India must be vitally interested in maintaining a spirit of co-operation with Great Britain. We felt, moreover, on every ground that no member of any Government of India, be he British or Indian, would desire to introduce measures likely to inflict serious injury on British interests unless such measures were necessary for India's own developments.

*Plan for Friendly Gesture to Britain*—It is, of course, obvious that these proposals will evoke very considerable comment and will be subjected to the closest and most critical scrutiny. This we shall welcome, but I would, at the same time, appeal to all Hon'ble Members to exercise this scrutiny in a calm and judicial spirit, before they pronounce any final judgment. It is for them to consider whether they can accept what I have indicated as the guiding principles underlying our proposal and whether these proposals do, in fact, meet India's immediate needs while being at the same time calculated to further her interests in the widest sense. It will not suffice to keep in view only those factors which, in ordinary times, might be held dear for the times are not ordinary. Within a few months the representatives of India will meet the representatives of Great Britain to discuss, in the fullest and frankest way, the future of this great country and much must depend on the spirit in which they meet. I would ask Hon'ble Members to give full thought to the grave importance of these wider considerations. It is obvious that any gesture of friendship which India can spontaneously and without compulsion make to the British Government in their own present grave industrial troubles is bound to strike a responsive note. For our part, our conviction is that if our proposals are examined without prejudice they will be found to be better adapted to Indian needs than any other scheme we could put forward and I must explain shortly our reasons for thinking so.

In the first place, what we are aiming at in our present measures is not to settle the policy as regards protection of the cotton industry for the distant future. We are concerned only with providing a temporary shelter under which the industry, especially in Bombay, may firmly establish its position in respect of the business for which it is already equipped. Our measures are emergency measures designed to take immediate effect, to give immediate relief and an immediate stimulus, so that the Bombay industry may reorganise itself and start again with restored health and a new lease of life on its normal course of development.

There is, therefore, no relevance for our present purpose in contention that taking a long view the Bombay industry requires to organise itself for the manufacture of the finer goods and that our present proposals will not help in this direction. Whether such a view is right or not it could not be translated into the immediate effect which is so necessary. It must, in fact, take many years before the local industry could organise itself to undertake the manufacture of the finer qualities of goods. Incidentally, I may point out that the raising of the important duty from 11 per cent to 15 per cent will give very considerable help in this direction but that is outside the purpose of the emergency measures.

Looked at from this point of view it has appeared to us that our proposals do exactly meet the needs of the case. The imposition, in addition to the increase in

normal duty of a special additional protective duty against non-British goods, of a 5 per cent all round surcharge, combined with the minimum of  $3\frac{1}{2}$  annas per lb on plain grey goods must operate effectively in just that portion of the field where competition is most severely felt. A study of the statistics makes it abundantly clear that it is not competition from British goods which is now being severely felt, nor has Bombay lost any business recently as a result of such competition.

In the second place, I must on behalf of the Government of India make it clear that we could not feel justice in imposing for revenue purposes higher duty than 15 per cent and that so far as the protective measures are concerned, it is only if there scope is limited in the way that we propose that we could agree to carry them so far. As I pointed out at the outset we cannot disregard the interests of the consumer and it is contrary to all sound principles to impose a protective duty, putting a heavy burden on the consumer, if the benefit to the producer must be small or negligible. For the period covered by the purpose of our emergency measures the production in India of those classes of goods which form the great bulk of the imports from the United Kingdom must be very small and therefore an additional 5 per cent duty on these goods would put a burden on the consumer without a corresponding benefit to the industry which we have in view. On the other hand of those classes of goods to which the protective duties will apply, internal competition will increasingly tend to restrict any effect on the interests of the consumer. On these grounds we hold that our proposals combine the maximum benefit to the industry with the minimum burden on the consumer.

*Duties restricted to three years* —I need not elaborate the further arguments which have been dealt with in our telegram, but I must before leaving this part of the subject emphasise again one vital point which we have made. We do not and in fact we could not, ask this Assembly to commit themselves at this stage to accepting the principle of Imperial Preference. We ask them to regard this proposal merely as a special measure, designed to meet the immediate emergency. It is acting in this spirit that we propose that the special protective duties shall be imposed for a period of three years only and that at a convenient date before the termination of this period their effect and the whole position of the industry shall be re-examined in a Tariff Board Enquiry.

Lest it may be argued that such an enquiry should have preceded our proposals I must explain that we gave our careful consideration to this point and decided that quite apart from the urgency of the need for action a further investigation by the Tariff Board at the present juncture was not advisable. It is the special duty of the Board to investigate facts and arrive at findings thereon but owing to the labour disputes of 1928 and 1929 it is more than doubtful whether any material for investigation beyond that available to the Tariff Board of 1926 exists again. Conditions in the Bombay mill industry have since 1926 been examined by the Tariff Board, the Fawcett Committee and the Pearson Court of Enquiry, while trade conditions have recently been investigated by Mr. Hardy. In these circumstances we felt that the proper time for a further enquiry by the Tariff Board will come when some progress in reorganisation and rationalisation has been made by the industry in Bombay and the prospects of ultimate success or failure of the industry can be assessed.

*Revenue Of 1925 Lakhs Expected* —There is one more point left for me to deal with in conclusion, I have already referred to the special duty which the Government feel to be imposed upon them in this case to satisfy themselves that effective use will be made of the assistance given and that attention should be directed particularly to the improvement of labour conditions. We recognise that the ultimate failure or success of the mill industry in Bombay must depend entirely upon the extent to which the Mill-owners utilise the present opportunity in order to improve their efficiency and labour conditions and that if full use is not made of this opportunity the position of the industry may be no better at the expiry of the period of three years than it is to-day. We have already addressed the Bombay Mill-owners' Association on this subject and have impressed upon them the urgent necessity of working out schemes which may re-establish the industry on a firm basis. Although it has not been possible for us to lay down the lines on which the reorganisation should proceed or to prescribe the particular measures which should be taken, we propose, now that our policy has been declared to enter immediately into consultation with the Government of Bombay on this subject, which is their primary concern. It appears to us right that some method should be devised whereby the force of public opinion may be brought to bear effectively upon the situation. At the same

time it is our desire to give the association all the assistance to our power in order to ensure that the examination of the various problems may be thorough and adequate and that it may be carried out with the aid of the best expert advice available, whether in India or in other countries. Apart from technical assistance it seems clear that some drastic financial reorganisation and some rationalisation of the methods of manufacture is necessary if the Bombay industry is to be put on a permanent foundation of prosperity. On this subject I cannot at present say more than this that we are prepared to examine what is required in this direction and to consider whether any form of Government intervention is possible or appropriate. This aspect of the problem is one of great difficulty and I do not propose to lengthen my speech by enlarging further upon it at this stage. I would add in conclusion that, although I have spoken chiefly of Bombay, we have also the other industry of India in view and we particularly hope that the measures which we propose will be of real benefit to the hand-loom industry throughout the country-side. We estimate that the net increase in revenue from our proposals allowing in full for the protective effect will be 12½ lakhs. The proposals to increase the revenue duty will be included in the Finance Bill, while a special bill will be introduced by my Hon'ble Colleague, the Commerce Member, containing the protective proposals.

*Increased excise duty on kerosene*—My next proposal is to increase the excise duty on Kerosene from 1 anna to 1 anna 6 pies per gallon coupled with a reduction in the import duty from 2½ annas to 2 annas 3 pies. This combined proposal is expected to give us an extra 35 lakhs. At present there is a difference of 1½ annas per gallon between the excise duty and the import duty on kerosene and the effect of the proposal now made will be to reduce that difference by one-half. In framing our proposals regarding kerosene in this form we have kept two objects in mind; first and principally, we have desired, simultaneously with getting more revenue, to make a change which should at the least ensure that the price of ordinary kerosene to the consumer is not increased, while secondly, we have felt that prudence and justice demanded that we should not make too sudden and drastic a change in the conditions of the indigenous industry, having regard particularly to the position of the smaller companies. Moreover, too drastic a change might hamper further development. In reducing the margin by one-half we have thought that we have gone as far as it would be wise to go, at least as a first step. It means that the marginal duty in favour of the indigenous industry will be reduced from about 18½ per cent to 9½ per cent.

*Increased Import Duty on Sugar* :—The next proposal which I have to mention is an all round increase in the import duty on sugar of Re. 1½ per cwt. I am not proposing any change in the existing classification so that sugar of 23 Dutch Standard and above which at present pays duty at the rate of Rs. 4½ per cwt. will pay duty at Rs. 6 per cwt. Sugar below 23 Dutch Standard but not inferior to 8 Dutch Standard will pay at Rs. 5½ per cwt. instead of at Rs. 4 and sugar below 8 Dutch Standard and sugar candy, which at present pay at 25 per cent ad valorem, will be subject to a composite duty of 25 per cent ad valorem plus Re. 1½ per cwt. The duty on these lower grade sugars has, it is true, little significance for the revenue since imports are at present very small but it is desirable to keep a due correspondence between the different grades in order to prevent the substitution of lower for higher grade sugars. Molasses, which is dutiable at 25 per cent ad valorem, will remain subject to a duty at that rate and will be treated separately from sugar, since its use is mainly as a raw material for industries and in fact a Tariff Board enquiry as regards its treatment as a raw material used in the manufacture of denatured spirit is already in progress. The increased duty on sugar should yield 180 lakhs, but, in estimating its effect upon the consumer, it is necessary to bear in mind that the world price of sugar is exceptionally low. The average landed cost of sugar in India from April to December last was no more than Rs. 8.6 per cwt, whereas the average for the previous six years has been Rs. 12.25 per cwt.—a difference of about Rs. 3½ as compared with the proposed increase of Rs. 1½. Thus even the comparatively large increase now proposed should not, at present, be seriously felt by the consumer. Ultimately it may, and probably must, have some protective significance, but for the present, it must be regarded primarily as a revenue producing measure. I would, however, remind the Hon'ble Members that an increase in the production of sugar is one of the most valuable opportunities available for improving India's agricultural production and that with this possibility in view we are proposing a special grant this year of 10 lakhs (to be continued if necessary in subsequent years) for the encouragement of sugar research and sugar

production together and their possible reactions fully appreciated. It may interest the House to know that duties on sugar at about the level which we now propose are in force in most European countries. What we are now proposing amounts to a duty of 9sh per cwt. The present import duty on sugar elsewhere is as follows — England 11sh. 8d., U S. A. 10sh. 3d., Germany 12sh 7d, France 8sh 6d., Austria 12sh., Australia 9sh 4d.

*Change in Rate of Income and Super-Tax*—I next propose to obtain an additional 70 lakhs by a small change in the rates of income-tax and super-tax. I hope that the House will agree that when we are seeking new sources of revenue, it should not all be raised by indirect taxation but that some direct taxation is justified, so that the burden may be equitably spread. At the same time I recognise that this is not a suitable period of imposing any heavy additional burdens which would be felt in industry or commercial enterprise. Our proposal, therefore, is that on personal incomes of Rs. 15,000 and upward the Income-tax rates shall be raised by 1 pie in the rupee and a corresponding increase shall be made in the super-tax in all grades other than the flat rate of super-tax on companies. The additional yield from income-tax is estimated at 56 lakhs and that from super-tax at 14 lakhs. It has been brought to my notice that, owing to certain features of our income-tax system, particularly the deduction of tax at source an alteration in the rates, might in certain cases, be taken into account twice in the first year. When a change in rates is made I shall see that the necessary steps are taken to avoid this result.

*Promised Reforms in Income-Tax*—In referring to income-tax I wish to mention some other changes, which I hope shortly to bring under consideration. If the normal economic progress of India is maintained during the next twelve months it ought to be possible for us to enter on next year in a stronger financial position. I hope then to be able to make a start in introducing the principle of allowing business losses incurred in any one year to be carried forward to the next year. I also hope to be able to remove the present double super-tax on companies so far as that affects genuine trust and finance companies. Both these changes ought to be beneficial to the progress of business enterprise and it will be my settled purpose so to regulate taxation as to remove, when an opportunity offers, any imposts which may be said to have a hampering effect on such enterprise.

The total yield of the taxes which I have now mentioned amounts to 410 lakhs so that I am still left with 30 lakhs to find, I consider, however, in the special circumstances now prevailing, that it is on every ground desirable to have some margin of safety taking into account the uncertain prospects which we have before us and taking into account also the paramount importance to which I have already referred of improving our credit by displaying a strong financial position to the world.

*Silver Duty*—It is with this and other objects in mind that I propose to re-introduce the import duty of 4 annas per ounce on silver. I have, however, purposely kept this proposal till the end for in putting it before the House, I want to make quite clear certain conditions which will, I think, generally commend themselves to the public. An import duty on silver is a familiar feature in the history of Indian fiscal policy. Prior to 1910 silver bullion and coin other than coin of the Government of India were included in the general tariff schedule of articles liable to an import duty of 5 per cent ad valorem and in that year the rate was raised to 4 annas per ounce. During the War import of silver was prohibited and after the War, in pursuance of the recommendation of the Babington-Smith Committee the duty was removed at the same time as the prohibition of import. The Committee advocated the removal of duty mainly on account of the strong feeling in India that it was an obstacle to the establishment of a world market for silver in Bombay and placed the Indian consumer of silver at a disadvantage in comparison with the consumer in other countries. I have given full weight to these objections but circumstances are different to-day. It is proposed to meet the former objection by allowing a full rebate of the duty on re-export of any silver which has been imported and has paid duty. As to the latter objection, we feel now that there is a strong counter-balance advantage in taking a step which will have the immediate effect of improving the internal price of a commodity, in which the savings of the masses are to a considerable extent invested. The recent fall in the price of silver has, in fact, put an entirely new aspect on the matter. Apart from this, there is another important new factor in the situation in that the Government, owing to their possession of surplus stocks of silver and the erection of the new refinery at Bombay have got into the position of being themselves important "producers" of silver.

Our proposal, therefore, has the new incidental advantage of providing the Government with a protected market for their own produce. Having said as much as this, however, I must say more in order to avoid the creation of any misunderstanding. I feel that it is important that the masses of India who invest so large an amount of money in silver should realise that silver is only an ordinary commodity liable to fluctuations in price just as other commodities are. It has no sacred properties which make it immune from these vicissitudes, and although the Government in taking these measures have in mind as one of the main advantages an improvement in the internal value of silver, we should in the long run be doing a very poor service to the population of India if we allowed it to be supposed that the Government have the power definitely to maintain the prices at particular level. It is far better that the people should generally appreciate the realities of the situation in this respect. At the same time the Government do recognise the importance of the interests involved owing to the position of silver in India as in some respects a store of value, and while they must, as holders of a surplus commodity which they desire to sell, reserve freedom of action, I am prepared to assure this Assembly that, in exercising that discretion, the Government will not go to the market unless they are advised that, as in the past, the market will not be appreciably affected by their operations. If there is any danger of the world's production of silver exceeding the consuming capacity of all markets then of course there must be a tendency to falling prices. Only the combined action of the producers and holders can prevent this. The Government of India, holding, as they do, surplus stocks, which in the public interest they consider that they ought to realise, cannot fairly be asked to do more than other producers, but I am prepared on behalf of the Government of India as important holders or producers to say that, if the other interests concerned show any desire to consider the possibility of joint action for the regulation of sales in order to meet the world's demand, the Government of India would willingly co-operate. Further than this we cannot, in the public interests, go. But what I have said amounts to a carefully considered and important proposal and it is for the other producing interests to consider if they will make any response. In the meanwhile, I think I may say with confidence that at the present level of prices the imposition of the duty which we propose is not likely to have any serious effect on the consumption of silver in India. While our reasons for imposing the duty are, as I have explained, of a special nature, I am also prepared to say that special circumstances will govern our intentions as to the disposal of the revenue produced. We must, as I made clear, regard the proceeds primarily at the present stage as per enforcement of the general financial position on the Government, but if our estimates as regards the other heads of revenue are realised and there is a surplus resulting from the imposition of the silver duty, then I am prepared to say that we have a very special purpose in mind for the application of that surplus, in fact as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces, after the forthcoming statutory revision, to give them the fund which they require for nation-building services, though it will not be for the Central Government to dictate to the provinces how such contributions should be applied. There will be an opportunity for discussing this matter when the whole distribution of the sources of revenue is considered and I think I can say with confidence that additional funds are chiefly required by the Provinces for such purposes as economic and agricultural development and Primary Education. If pending the further allocation of revenue to the Provinces which I have in view, any surplus is actually realised then, of course, any proposal for its expenditure will be submitted to this Assembly. It is on the grounds that I have stated that our proposals in regard to the silver duty must be regarded in a very special light.

*One Crore Increase of Revenue Anticipated :—*We propose to include in our budget figures a revenue of 1 crore at a conservative estimate. On this assumption our Budget estimates provide for a surplus of 70 lakhs of revenue over expenditure. As the budget proposals other than those relating to income-tax and super-tax will have effect forthwith the current year's revenues will also benefit to the extent of 35 lakhs, which amount accordingly appears as a revenue surplus in the revised estimates.

#### Review of Budget Proposals

It is of course obvious to me that these proposals will be subjected to the most searching scrutiny and the question which will be asked on all

sides is whether there is any justification for imposing so heavy an additional burden of taxation. Before this question is put I would ask Hon. Members to pause and consider carefully what item of taxation in my proposals does not offer at least some indirect advantages. I venture to say that, with perhaps the sole exception of the income-tax proposals, such advantages will be found, but that is not by itself a sufficient answer and it is necessary to examine the position further and attempt to frame some interpretation of the symptoms of the present financial conditions, for if the short fall of revenue is merely the result of a temporary combination of abnormal circumstances then one must hesitate to impose the full corresponding burden of permanent taxation and it might be justifiable to adopt temporary expedients. If on the other hand there is a permanent and unavoidable shortage of revenue then the position must be tackled boldly in order to establish before it is too late a sound foundation. In order to judge whether the present condition is permanent or not there are two main aspects to be examined. That is to say, one must ask on the one hand whether the expenditure required this year is abnormally high and capable, either now or in future years, of reduction and on the other hand, whether the revenue anticipated is below the normal expectation owing to special circumstances which are unlikely to be repeated. As to expenditure, I have already drawn the distinction between actual administrative outgoings on the one hand and on such items as interest on debt and those provisions which do not represent actual outgoings in cash but which are required on principles of sound finance as reserves against established or accruing liabilities. I will deal first with the administrative expenditure. In regard to this I have, during the past year, in accordance with an undertaking which I gave to the Assembly in my last budget speech conducted in the Finance Department, a close scrutiny and survey of the growth of expenditure during the past five years. Reports have been prepared for each department and these have been circulated to members of the Standing Finance Committee. A good deal remains to be done in the way of completing the details of this enquiry, but I have gone far enough to come to the conclusion that, for various reasons, we cannot count on being able to find any substantial margin for reduction in the cost of the Civil Administration of the Central Government. In fact, with all the new services and heads which are being pressed for consideration, it is only by the exercise of the most rigid control that we shall be able to keep the growth of the expenditure within bounds. The possibility, therefore, of cutting down administrative expenditure does not, in my opinion, afford any substantial ground for postponing the imposition of taxation to meet the present deficit but, by accepting this conclusion, I do not imply that the search for possibilities of reducing our present scale of expenditure must be abandoned. It has, in fact, been decided by the Government and the proposal has recently been reported by me to the Standing Finance Committee to appoint an officer on special duty to continue the examination in further detail. It is in my opinion, necessary to carry out a very close detailed investigation of the causes which have led in the past and are still leading to a steady increase in expenditure. Those members of this Assembly, who have sat with me on the Standing Finance Committee, are fully aware of the difficulties in this matter. Applications are made in a particular case for improvement of conditions of pay in particular offices. A good case is made out and the improvement involving perhaps by itself only a moderate increase in expenditure is approved. But one move leads to another and it is inevitably found that other sections of the Government staff, claiming to be working in similar conditions, again press that a similar improvement shall be accorded to them. These claims are difficult to resist and, more, it must be remembered that the control does not lie entirely in the hands of the Central Government. It often happens that a particular claim is pressed in order to afford to members of some branch of a Central Government Department conditions equally favourable with those prevailing for men in the service of the Provincial Governments working under similar conditions and in the same place. But the time has come for a comprehensive review of the whole situation so that we may ascertain what claims on these grounds are likely to be pressed in future and that we may, if possible, fix in consultation with the local Governments certain uniform principles from which there can be no departure. Apart from such special cases the Government have become committed in the past years to time-scale systems of pay, the full effects of which were not perhaps appreciated at the time when they were granted. These put upon us definite and unavoidable commitments and I have already indicated that the normal rate of increase under this heading amounts to something like 25 lakhs per annum.



It is important that we should know where we stand in this matter and also when it is likely that the peak of this increase will be reached and what the figure of Government expenditure at that point will be. It is this kind of question which justifies the special appointment to which I have referred for the time is coming when as part of the constitutional reforms which we shall have to consider, it will be necessary to rearrange the distribution of heads of revenue between the Central Government and the Provincial Governments. When that time comes it is essential that we should be able to assess with some accuracy what our own future commitments are likely to be.

*"Overworked" Officers*—These remarks cover one kind of growth in expenditure but I shall be asked whether even admitting that this kind of growth is inevitable, it is not possible to make large cuts in the number of appointments and in the amount of the personnel employed. This indeed is a subject which will come within the purview of the special examination which we propose, but I should be deceiving this assembly if I were to hold out any expectation of large economies in this direction. I doubt whether it is adequately realised to what an extent the gradual development of the present form of constitution is placing increased work on the shoulders of the officials of the Central Government and I do not think it is an exaggeration to say that there is not a single Department of the Government of India in which those occupying the higher appointments are not at present overworked. Indeed I think it far more likely that as representative institutions grow and sessions of the Legislative Assembly become longer, it will be necessary to divide up some of the existing departments and create new appointments for their representation in this Assembly.

*Demands of New Services*—I may, however, again be asked whether there is not the possibility of a different form of economy in the shape of elimination of certain services. At the time of the last big retrenchment movement, certain accessory services were largely cut down, particularly scientific departments and such minor departments as the statistical branch. My reply to such a question would again be that, unfortunately, it is only too likely that the move will be in the other direction. We are, in fact, at present faced with the need for meeting the demands of a large number of new services. Hon'ble Members are only too familiar with some of these. The development of agricultural research, for example, is an entirely new demand, as also is that of civil aviation. The former is one which may be fruitful of great benefit to the country. The latter is necessary, unless India is to lose her place among the civilised nations of the world. Moreover, it brings in its train other needs such as the development of meteorology and wireless organisation. Again, if we look back on the cuts that were made during the last retrenchment campaign, I think it will be generally admitted as proved by experience, that in some respects at least, the economy has not been worth the sacrifice. In advancing this opinion I have particularly in mind the statistical branch and there, as some Hon'ble Members know, we have, in response to a far-seeing demand which has been pressed by various influential members of this House, started on a course which will, I hope, provide those statistics for the gauging of the country's economic conditions which it so badly needs. Public opinion generally seems to be awakening to the desire that the Government of India should adopt a far more active and constructive economic policy than it has followed in the past and that, in many matters, the Central Government should take upon themselves the responsibility of giving a lead and assistance to the Provincial Governments. This is a desire with which I most heartily sympathise and it would in my opinion be false economy to resist it.

Lastly, I would impress on Hon'ble Members one consideration which has been brought before me very vividly in the course of my work in the finance department. The Central Government are directly responsible for the administration of certain areas and I am afraid that one cannot resist the conclusion that the standard of services provided for in those areas has, in many respects, been allowed to fall behind that prevailing in the neighbouring areas under Provincial Administrations. This is not a state of affairs which the Central Government can view with equanimity and I feel convinced that there are considerable arrears to be made up in this direction.

For all these reasons I have myself regretfully come to the conclusion which I have already stated, namely, that, however energetically and ruthlessly the search for economies is carried out, and I shall myself welcome any measures for the conduct of such a search, there is not room for any substantial reduction in the civil expenditure of the Central Government.

If I turn now to those other kinds of expenditure to which I have referred, namely, those measures for the support of sound financial principles and the provision of adequate reserves against our obligations, I could not honestly put before this Assembly proposals less adequate than those which I have framed.

It is, in my view, of vital importance that at this stage in India's constitutional development, when we stand at the threshold of new constitutional advance, nothing should be done which would suggest to the outside world that India's credit will be less carefully preserved in the future than in the past. India must be above suspicion in this respect and in the end I am convinced that this will prove sound economy and, by improving the country's credit, help materially to reduce the burden of interest which it will have to pay.

If I turn now to the revenue side of the picture, the second of the two aspects which need examination, it may be said that the estimates which I have presented do imply, first the expectation of a set-back in the tax revenue or rather a halt in the normal rate of its growth, as evidenced in the results of the last 7 years and, secondly, a very decided worsening in the position of the commercial departments of the Railways and Posts and Telegraphs. I am prepared to admit that it is quite arguable that, on the revenue side, the picture which I am presenting is abnormal and likely to be improved in future years. But, for many reasons, I feel sure that it will be unwise to allow such an argument to prevent the introduction of new taxes sufficient to meet the situation as I have to present it to-day.

I have many reasons for this conclusion some of which I may state shortly as follows:

In the first place some of our present sources of revenue are likely to disappear and in the case of others reductions may become desirable. The following special cases may be quoted:

As regards opium we are already committed to the disappearance of this revenue after 1923 and it is essential to find new sources of revenue to replace it.

As regards the export duty on rice, I have already indicated in my proposals for this year that this, at its present level, may be a burden on the proper economic life of the country and further reductions may become desirable. It is possible that economic conditions may alter the justification for other forms of export duties, as for example on jute, while as regards income-tax. If, again, we put first the need for removing burdens which hamper the economic development of the country I should myself welcome the opportunity of being able to introduce certain changes, as for example, the introduction of provisions for allowing trading losses to be carried forward beyond the year in which they have occurred and the abolition of double super-tax on holding companies.

Again new needs for expenditure are constantly likely to press upon us and I have already referred to some of the new services which are now being developed.

Yet another consideration is this we have, in my opinion, been working in the past three years with a dangerously low margin. In a country like India, subject to great risks of loss of revenue from failure of rains or from floods it is desirable to have some margin of revenue over expenditure from which a reserve can be built up in reasonably good years. Memories are short and although the last two monsoons have in places been unfavourable it is many years since India has suffered from a real failure of the monsoon.

*Demands of the Provinces*—The last consideration to which I have to call attention is one which bears most weight in my own mind. We have got to prepare for the probability indeed I think I may say the certainty that the next stage in constitutional development will need provision of more money for the Provinces and that in some form or other the Central Government must be prepared to relinquish part of its own sources of revenue. After all, it is in the hands of the Provincial Governments that the real nation-building services lie and the two great needs for India are agricultural development and, as a necessary condition of its success, the increase of a really effective form of primary education. Of all the tasks the responsibility for which my present office lays upon me that which I take most seriously is the duty of finding revenues in order that those provinces which are at present handicapped by financial difficulties may make a great start forward in developing the services which the country really needs. I believe that in the new taxes which I have proposed I have opened the way if things go well without putting any burden on the economic life of the country or subjecting to hardship any particular class to create a margin which will enable us, as soon as the constitutional reforms

are settled, to give a fair measure of assistance to the Provincial Governments in the next chapter of their history.

### Ways and Means

I will now turn to a review of the ways and means position for the current year and the next a summary of which is given below in usual form.

<i>Liabilities</i>	(In crores of Rs)	
	Revised 1929-30	Budget 1930-31
Railway Capital Outlay (Construction)	21.15	16.75
Purchase of Railways	7.6	..
Other Capital Outlay	1.93	3.97
Provincial Transactions	9.17	7.93
Discharge of Permanent Debt (net)	25.36	18.84
Contractions against Treasury Bills	6.86	..
Contraction against Silver	2.94	..
Other Transactions	3.96	1.86
<b>Total</b>	<b>81.73</b>	<b>49.35</b>

<i>Resources</i>	(In crores of rupees)	
	Revised 1929-30	Budget 1930-31
Revenue Surplus	35.70	..
Rupee loan (net)	35.17	23.50
Sterling loan (net)	7.92	..
Treasury Bills with public	20.00	4.00
India Bills	8.00	..
Post Office Cash Certificates and Savings Bank	5.91	6.20
Other unfunded debt	8.10	3.10
Appropriation for Reduction, etc., of debt	5.85	5.90
Depreciation and Reserve Funds	99	5.27
Reduction on Cash Balances	10.89	8.62
<b>Total</b>	<b>81.73</b>	<b>49.35</b>

The rupee loan in the current year amounted to about 35½ crores of which 22½ crores represented the conversion of bonds maturing from 1930 to 1932. This substantial reduction in the amount of the loans maturing in the near future has considerably improved the position for the next three years, but the actual cash received in subscription to the loan was 13½ crores only, i. e. 4½ crores less than the total now provided for in the budget. As I anticipated at this time last year it was necessary to resort to external borrowing on a considerable scale. Sterling bills for 6 million pounds in each case were issued in London in May and December. The former issue matured in February and in order to place ourselves in funds to meet them, short-term bonds for 6 million pounds were issued early in February. The total net amount of funds raised during the year in England has thus amounted to about 12 million pounds. I must deal briefly with the condition in which the issue of the short-term bonds was undertaken and the reasons underlying Government's action. Hon'ble members will have been fully aware from the general review at the Government's policy as regards capital expenditure and borrowing which I gave in my budget speech last year that I had arrived at the conclusion that external borrowing would be necessary. I then explained how and why in future it would be necessary that the rate of capital expenditure should be more nearly balanced than had been the case in the past five years by the increase of our capital resources in the form of fixed loans. It was therefore desirable in any case to raise a sterling loan as early as possible after the summer. Conditions however were then very unfavourable owing to the position in New York and the existence of a bank rate of 6½ per cent in London and we thought that we should gain by waiting for cheaper money rates. When the New York boom collapsed, the anticipated easing of money commenced, but by that time political anxieties had begun to dominate the position in the London market for Indian securities. I need not give a long account of these events which must be still fresh in the minds of all

hon'ble members. I need only say that the nervousness of London investors was intensified by the attitude adopted at the Congress meeting at Lahore in December. Therefore, while our anticipations that money conditions would become more favourable were realised, the adverse effects of political reactions counter-balanced the advantage obtained. The facts, however, had to be faced and as during the year Government had to meet the greater portion of the 5¼ million pounds for the purchase of the Southern Punjab Railway and about 7½ million pounds for other railway capital expenditure, we felt that in spite of the unfavourable conditions, we should not be justified in financing this capital expenditure entirely by temporary borrowing in the form of India Bills. We considered indeed that some more permanent borrowing was, according to sound financial principles, essential. In saying this I wish to emphasise that our power to issue bills in the London Market is in the nature of a reserve which ought to be kept available to meet temporary shortage of sterling resources. Prudent finance demands that this reserve power should be utilised as little as possible for financing permanent capital expenditure. By the issue of two-year bonds with option of extension for the third year we have obtained accommodation of a period sufficient to allow for the passing of the present political uncertainty and have at the same time avoided the burden to the Indian tax payer of floating a long-term loan in particularly unfavourable conditions which I hope will prove to be of a temporary nature. In the meanwhile, I am glad to say that the success of this operation, even though the terms were onerous, had a very good effect on our credit in London.

The combined amount of the above borrowings corresponds roughly with the budget forecast but owing to events which it was impossible to foresee, it was necessary to supplement our resources by large issues of Treasury Bills in India. In the first place, contraction of the currency to the extent of 686 crores against cancellation of rupee Treasury Bills and 2.94 crores against silver withdrawn for sale depleted our resources by nearly 10 crores.

*Government Currency Operations* :—Without entering into a long exposition I wish to explain briefly and in very elementary terms the real significance of these currency operations. There is much misunderstanding on these subjects which is fostered by the peculiar position of the Government of India and the combination of roles which they have to play. In the first place, it is the Government themselves who have to do the work and therefore, as happens in all countries, they are blamed for every untoward occurrence, as some of the Hon'ble Members opposite would soon find out, if, as they hope and as I often wish they could, they were to change places with us. But, apart from this common experience the Government are not only the currency authority, but are themselves the chief operators in the remittance market. When there are difficulties as regards exchange which would be expressed in other countries by a new tendency to export gold, that is expressed in India by difficulties for the Government to effect remittance and when we take action to protect the currency position which, in other countries, would be regarded as quite normal, it represented here as artificial manipulation of exchange by Government in order to meet their own remittance needs. That appearance induces an unduly hostile type of criticism.

Then, again, let us consider the internal currency position. If as has happened in the current year, prices fall and the country requires less currency and if on the top of that, large quantities of redundant silver currency are returned from hoards, the currency authority must meet the situation by cancelling currency. Otherwise, as inflated condition exists, internal prices would keep unduly high in relation to external prices and internal rates for money unduly low. The result would be that the natural flow of exports which is necessary to maintain the country's balance of trade would be restricted and a very unhealthy situation dangerous to the stability of currency would be set up. When currency becomes redundant and has to be cancelled the profits of the currency authority diminish for all issues of currency whether it be silver currency, the bullion value of which is less than its face value, or notes for which the authority merely has to bear the cost of printing but when we, as a Government in our function as currency authority, have to cancel currency and thus submit to a corresponding loss of profit we are accused of pursuing a policy ruinous to the country's interests because we appear as borrowing money at interest in the form of treasury bills and the destroying it by contraction. In actual fact, however, the loss thus incurred only represents a loss of the Profit which we would have made if the country had needed the extra supplies of currency.

Some of our critics however will say that we have earned this process unnecessarily far and that in contracting currency we have not only incurred this loss ourselves but have starved the commercial world in its needs for currency. Of this, as I have on recent occasions frequently explained, there is no evidence actually. Since the beginning of the last busy season, say from the first December 1928 to the 30th November 1929, the net contraction was to 1389 crores and the contraction of notes in circulation was only 248 crores. The reason for this small effect of our operation on the note issue is that very large quantities of rupees have been returned. When rupees are returned notes are automatically issued against them and if those rupees have come not from active circulation, but from hoards a corresponding inflation would in fact have taken place. These have been the actual facts this year and the proof of the pudding lies in the eating. In spite of the contraction of currency all the evidence shows that the currency needs of the country have been fully met so far as it was healthy to do so. In support of this contention, I need merely point to the fact that the Imperial Bank's cash which is the real index of the adequacy of the currency is considerably higher than it was at this time last year although no expansion of the currency has been effected this busy season. This shows clearly that the contraction of the currency has not been excessive.

While this necessary contraction of 10 crores to which I have referred counter-balanced part of our borrowings, other factors have contributed further to worsen our ways and means position. The chief cause has come from the railways as a result of the falling off in railway receipts and the increase of working expenses. The railway reserve fund will have to be drawn upon to the extent of 86 lakhs to meet the contribution to general revenues whereas an addition of 326 lakhs to the reserve fund was provided for in the budget while the addition to the depreciation funds is now expected to be one crore less than was anticipated. As against this, it was possible to effect a saving of 232 lakhs in railway capital expenditure, but even allowing for this, there is a deterioration of nearly 3 crores under railways. Borrowings by the provinces are now expected to exceed the budget by about 2½ crores and in view of the heavy disbursements in April in London and in India, the closing balance will stand at a figure 9 crores higher than provided for in the budget estimate. For these reasons the revised estimate provides for an increase from 4 crores to 24 crores in the amount of treasury bills outstanding with the public of which I would remark again that 9 crores is represented by increased treasury balances.

In my last budget speech, I dealt at length with the railway capital expenditure and envisaged the possibility of a drastic reduction in 1930-31 in order that the credit of the Government might not be over-strained. The purpose thus indicated has been fulfilled and as the House knows, we are allowing 16½ crores only for railway capital expenditure, i.e., 7.4 crores less than the revised estimate for the current year. It must be noted that the real reduction in the new railway capital expenditure sanctioned is actually larger than these figures indicate, as 2.35 crores of the programme for 1930-31 really form part of the sanctioned programme for 1929-30. Allowing for this the programmes for the two years compare as follows:—

1929-30	20.50 crores.
1930-31	14.40 crores.
Reduction	12.10 crores.

This comparison brings out more clearly the drastic nature of the curtailment effected.

With this provision for railway capital expenditure our borrowing programme for 1930-31 is, so far as sterling money is concerned, a very modest one. So far as sterling operations are concerned I assume that the six million sterling India Bills falling due in December will be renewed, but if conditions are favourable this floating debt will be funded. As regards India I estimate that a loan of 23½ crores will be required of which 7.4 crores only will be new money and the remainder, namely, 15.1 crores, will be utilised for redeeming outstanding loans, principally 1930 Bonds. This provides for reducing the amount of outstanding Treasury bills from 24 crores at the close of the current year to 20 crores at the close of the next. I anticipate no difficulty in carrying out this programme without disturbing the market for Government securities and if conditions improve it may be possible to fund a larger amount of the floating debt than I have assumed in my present calculations. On looking back on these proposals I feel justified in saying that provided only that political disturbances do not upset either conditions in India or

confidence in England our borrowing programme is of such a nature that we could confidently look forward to general appreciation in Government securities.

A year ago it was estimated that we should require to remit 35¼ millions sterling to London in 1929-30. Throughout the year the exchange position has been difficult. India, like most other countries in the world, was affected adversely by the high money rates, consequent upon the attraction of funds to New York to finance the speculative boom on the Stock Exchange and by the fall in prices and general trade depression which followed the collapse of this boom. In addition, the uncertain political outlook has led to the export of capital on a considerable scale. As a result, our power to effect remittances to London has been temporarily curtailed and we now estimate that the total remittance through the market in the current year will amount to 19 millions sterling only. This will suffice with the help of the sterling borrowings referred to above and the transfer of 9½ millions sterling already effected through the paper currency reserve to enable the Secretary of State to close the year with a balance of 68 millions. Assuming the 6 million India Bills falling due in December 1930 will be renewed, the amount required to be remitted to London next year is estimated to be about 31.8 millions for capital expenditure on railways as compared with 7.5 millions in the current year and 2.4 millions for repayment of debt (capital portion of railway annuities etc.).

I should of course make it clear that the entire ways and means programme outlined above can only be considered as tentative and subject to modification in the light of the actual circumstances of the time.

Following the practice of previous years I quote the market prices of certain typical rupee securities of the Government of India.

Market price on the 20th February.

5 per cent tax-free loan : 1945-55, 1923, Rs. 80-8 ; 1924, Rs. 97-12 ; 1925, Rs. 97-15 ; 1926, Rs. 101-4, 1927, Rs. 107-2 ; 1928, Rs. 106-11, 1929, Rs. 103-15, 1930, Rs. 100

3¼ per cent loan : 1923 Rs. 58-0 ; 1924 Rs. 65-14 ; 1925, Rs. 66-9 ; 1926, Rs. 71-6 ; 1927, Rs. 77-7, 1928, Rs. 76-1 ; 1929, Rs. 72-6 ; 1930, Rs. 64-1.

The fall in prices since last year may be ascribed to a number of causes. Some would no doubt attribute the chief importance to the magnitude of the Government's own needs. I explained this aspect of the situation very fully in my speech last year. It is clear now, in retrospect that from 1925 to the beginning of 1928 the full effects of the capital expenditure programme launched by the Government were not felt. Such expenditure as was incurred was met very largely from reserve while the expenditure itself had not got fully under weight. When once expenditure got going at the full rate and had to be met not from reserves but by fresh borrowing it was obvious that the price of Government securities must come down from the high peak to which they had climbed. I gave a clear indication of this in my speech last year and also explained that while I felt it necessary to curtail capital expenditure, it would not be possible to give effect to this at once without great economic loss, because so much work was already in progress and commitments such as the purchase of the Southern Punjab Railway had already been undertaken. I made it quite clear, however, that it was my intention to put on the brake as soon as possible, and in the meanwhile I endeavoured to settle the terms of our rupee loan last year on such a basis that it would represent a rock (13/3 onsn) bottom price from which a steady appreciation might be expected as a result of curtailment of future borrowings. I think we may at least congratulate ourselves on the fact that in spite of all the unfavourable developments which have since occurred last year's rupee loan only stands about one point below the issue price. If it has not been for two unfavourable factors over which we had no control I am certain that last year's loan would now be standing at a handsome premium.

What then are these factors ? There has been, first, the wave of dear money which swept over the world culminating in a 6½ per cent bank rate in England which made it necessary to tighten money rates in India in order to protect our currency position and secondly, there has come upon us a new difficulty in the fall of our sterling securities due to the fears felt in London as to the future political stability of India. I have already said that I believe these fears to be entirely unjustified, but their results are unfortunately realities, which we have to face. Any fall in our sterling securities creates serious difficulties which must react on the local situation. Either of these two last factors would have upset the rupee security market quite apart from our own borrowing operations.

Hon'ble Members will ask What of the future? And I must answer this question in relation to each of the three factors which I have mentioned. As to the first, our own demands on the market, I have already given a clear answer. We only expect to ask the public to give us about 74 crores of new money next year. If we had only to consider our domestic monetary conditions I would say with confidence that our troubles were over and that we could anticipate a steadily rising market in our Government securities.

*Political Factor* —As to the second factor, the rates for money prevailing in the world, we can again look with the confidence to the future. I need only say that, in my view, everything points to a period of cheaper money for some time to come.

As the third factor, I am afraid I can speak with much less certainty. What we have to expect from the operations of this factor depends mainly upon the action of the leaders of public opinion in this country as represented by Hon'ble Members of this Assembly and those outside. If there is a clear evidence that such leaders are facing their responsibilities and are determined to oppose all revolutionary movements and to co-operate in a course of peaceful and orderly evolution disclaiming those threats of unconstitutional action and repudiation of debt which we have so recently heard then I am quite certain that the outside world will regain confidence in India and that we shall advance once more to our former high level of credit. But if a contrary course is taken, then it will be impossible to avoid unfavourable reactions on India's economic development. There must be a lack of that confidence which is so necessary to the initiation of new enterprises and it is almost certain that a flow of capital from India will continue. Speaking on behalf of the Government, we have done all in our power to create a strong and healthy financial position and I think what I have already said has demonstrated this effectiveness of our action in this direction. If the insidious lack of confidence continues to sap our foundations we shall, as a Government, do our best to protect them and shall not hesitate to take strong financial measures for that purpose. But this will mean that our energies and resources will have to be devoted to defence rather than to constructive new enterprise and that the hopeful prospect of an all-round recovery which would bring prosperity in so many directions and for which, so far as lies in our power, we have created all the necessary conditions will be unattainable. The future in this respect lies in the hands of the leaders of non-official opinion in India. The responsibility rests with them and not with the Government.

I do not propose to lighten my present remarks by going into further detail now regarding the figures of India's debt. Among the papers which will be circulated will be found a statement prepared in the same form as was introduced last year with explanatory notes.

*Main Features of the Budget* —Before concluding I should like to emphasise again what I regard as the main features of my budget proposals. First, all additional expenditure on normal increments and new services, including the large agricultural grants and such important new services as civil aviation is being balanced by economies mainly on military expenditure. Secondly, principles of financial soundness are being doubly reinforced. No financial weak spots are being left as regards debt redemption and the cash certificate liability, while I have provided for a margin of safety in case events next year prove unfavourable. We can thus face the most stringent scrutiny of financial critics with confidence. Thirdly, we are making a substantial start towards a constructive economic policy and opening the way for beneficial expenditure if the year proceeds without abnormal disturbances to trade or civil security, we shall have money at our disposal to increase our resources. For these purposes and having prepared these foundations, the Central Government next year ought to be in a position either to initiate important schemes themselves or to provide additional revenue for the provincial Governments to give them the power for a more generous effort to this end. Fourthly, although substantial new revenue is to be raised the measures which I have proposed are so designed as to reduce restrictions on economic action and to lighten rather than increase the burden on the poorest classes. This is directly the case as reduction of the rice export duty and of the import duty on kerosene, while all except one of the other measures ought to have indirect beneficial effects. I have moreover indicated various directions in which, with the normal proceeds of our new resources, I hope to remove certain hampering impediments to the business activities of the country.

Fifthly, we have in our proposals affecting cotton made a determined effort to remedy a special malady from which the industrial life of the country is suffering and by restoring health to one important centre to improve the general condition of the country.

Sixthly, we have made a determined effort by a proper control of capital expenditure to give a chance for the recuperation of the country's credit so that with strength restored, a healthy growth proportioned resources may be once more resumed.

I would ask honourable members to give all these points impartial consideration and to read into my proposals their future promise no less than their present performance.

I may possibly be criticised for seeking to raise more revenue than appears to be immediately needed for actual outgoings, but I hope that what I have said will have convinced at least a majority of this Assembly, first of the paramount importance of creating reserves to strengthen our resources and credit at this present critical juncture in India's history, and, secondly, for preparing the way for a more generous allocation to the provinces of sources of revenue for nation-building services. It has often been said that the reforms introduced after 1919 have failed to achieve their full effect owing to lack of adequate funds in the hands of the provincial Governments. I am desirous of doing all in my power to prepare for better success in the next step.

Of one thing I feel certain that whether my particular proposals are popular or not and whether or not they are open to criticism in detail, the main purposes which I have in mind is the right purpose and the future will prove the truth of this contention. A Finance Member has to suffer the slings and arrows of criticism for his immediate actions and perhaps in very rare case to receive some meed of praise if Providence brings good times in his tenure of office, but his own efforts should really be judged by their more lasting results and I can hope with confidence that if any present proposals are accepted, my successor, from whatever quarter he may come, will in the future, look back to me with gratitude for having proposed these drastic measures at this stage. For the present, it is my purpose, as I hope it will also be that of this Assembly, to make clear to all concerned that whatever political changes may be in store, it will ever be the determination on an unshakable foundation.

### General Discussion on Budget—4th & 5th March

After the presentation of the Budget, the House adjourned till the 4th MARCH, when the attack on the budget was opened by Mian Shah Nawaz, secretary of the Central Muslim party. He said that the budget had some very disappointing features. It showed even at a time of such a general trade depression that the Finance Member's watch-word was extravagance instead of economy. He particularly opposed fresh taxation on the poverty-stricken people of India, while he held that the increase from 11 to 15 per cent. of the cotton duty was justified in the interests of the Bombay industry. He indicated that he would strongly oppose the introduction of imperial preference by the proposed additional 5 per cent protective duty against non-British goods and hoped that all Indian parties would oppose imperial preference. Mian Shah Nawaz wished that the tariff proposals should be scrapped. The silver duty was highly unfair. He assured the Finance Member that no patriotic Indian would repudiate the national debt, but asked if the military expenditure of Rs. 54 crores was justified. Mian Shah Nawaz continued: 'Why not give up distrust of Indians? There is going to be no upheaval in India, but Dominion Status can't be granted, not even promised, so long as the army is not Indianised. We are prepared to place the finances on unshakeable foundations, but it is the clear duty of the Government to see the legitimate desires of the Indian people fulfilled without further delay. Indians want the present system to go root and branch. I think the Congress is prepared to nip the revolutionary movement in the bud, provided the Government play its own part well and give a hopeful promise to the Indian people. Without that the financial position will remain unstable. If you give that everything will be all right, but if it is not remedied there will be chaos. (Nationalist applause.)'



Sir *Hugh Cocke*, deputy leader of the European group said that if civil disobedience was nipped in the bud and they had a peaceful year, that would be reflected very much in the budget figures of next year. Tracing the reasons for the new taxation, Sir *Hugh Cocke* compared the position between 1923-24 and 1930-31 and said that during this period the increase in revenue was Rs 10½ crores but as the provincial contributions were totally remitted the increase in revenue was only Rs 1½ crores, while the increase in expenditure during the same seven years was Rs 3½ crores. Thus Sir *George Schuster* was right that the provincial contribution gap remained partly unfilled and therefore must be met by additional taxation. Sir *Hugh Cocke* considered the post office returns particularly disappointing as they meant contribution from the central revenues of Rs 70 lakhs to meet the losses of this commercial department. Touching the taxation proposals, Sir *Hugh* said that the objection to the proposed increase in income tax could only be sentimental as the increase was very small and not one which should be attacked. Sir *Hugh* continued — 'I see no serious burden on any consumer as the tax on kerosene and the sugar duty only impose a moderate burden. I regret there is no promise in the hon. member's speech about a reconsideration of companies' super-tax. Finally, one has got to consider that the payments made to labour during last year or two such as in postal and railway employ, are very heavy. No one regrets the increase but in order to meet that bill we have got to pass fresh taxation. It seems to me that none of these taxes hits any branch of the community severely or harshly and the House might well accept the budget' (Official applause)

Mr. *Amarnath Dutt*, while appreciating the earnest attempts of Sir *George Schuster* to balance the budget, warned him of his opposition to any increased taxation, especially when more than half the budget was non-voted. That there should be increased taxation in a country where millions of people were ill-fed and half-clad was monstrous. The remedy lay in the Imperial Government sharing the burden of military expenditure by Indianising the Army. The remedy also lay in fixing a national standard of wages both for Indians and for foreigners. Mr *Dutt* also complained of the Government's failure to announce the date of the Round Table Conference and to grant political amnesty to ease the political situation.

Mr. *Shanmukham Chetty*, while congratulating Sir *George Schuster* on his vivid picture of the financial position of the country, feared that his (the speaker's) warning to him last year had come true for the gap between revenue and expenditure had become permanent. The receipt from the German liquidation fund should have gone to the sinking fund, but it had been utilized to cover a portion of the deficit. Rs 2.25 lakhs of the revenue reserve fund had also been utilized to reduce the gap. It should not be forgotten that they had utilized Rs 7½ crores of uncovered liability on postal cash certificates. The real deficit was thus Rs. 881 lakhs, leaving aside the revenue surplus. The accrued liability on postal cash certificates had been added to the permanent debt. Thus, India had lived on borrowed capital and extraneous windfalls for the last three years. The country had reached a stage when the normal growth in the expansion of revenue had come to a standstill and the expenditure did not show a possibility of being checked. While world causes had been partially responsible, the 1s. 6d ratio fixed in the teeth of the Assembly's opposition was also a greatly contributory factor. Mr. *Chetty* welcomed the increased import duty on cotton but the situation had been complicated by the introduction of imperial preference. Proceeding, Mr. *Chetty* said, 'I don't object to imperial preference simply because it is imperial preference. Continuing, Mr. *Chetty* said that no country in the Commonwealth had accepted imperial preference as a policy. Indeed at the conference of Australian statesmen who discussed this question speaker after speaker declared that the tariff policy should be guided by the fiscal and economic interests of the country and not of the Empire. It should be possible to devise a fiscal scheme which would give protection to Indian industries and not prejudicially affect the interests of the consumer and at the same time give preference for British products. Mr. *Chetty*, alluding to the silver duty, said that the silver in the Gold Standard Reserve must be replaced by gold or else it would be difficult to establish a gold standard currency. If the silver duty is necessary then as a corollary he suggested an increase in the import duty on silverware and silver thread. Concluding, Mr. *Chetty* urged that the Finance Member should regard himself

as the custodian of national finance and devise ways and means for increasing the national wealth and thereby resources at the disposal of the provincial Governments. Incidentally he recommended the establishment of an economic advisory council on the lines of the council announced by the Labour Government.

Sir *Purushotamdas Thakurdas* said that it was a tragedy that Sir George Schuster should be asking the Assembly to agree to fresh taxation not for spending more money for nation-building activities but for putting the finances in a solvent condition. But the 1s 6d ratio was responsible for it. Unless the Finance Member found that it was necessary to have to sell short term securities like treasury bills in the Gold Standard Reserve in the near future, it was necessary to provide for temporary depreciation in the market value of these securities out of the reserve. He protested against anything being debited against revenue for these securities and the provision in the budget for £1,50,000 was unnecessary. The Government must depend on the normal increase in revenue for expenditure on the new services. No fresh taxation was necessary. The ratio of 1s 6d was responsible for the dangerously low margin they had been having. The Government should not have increased the salaries of officers under the Lee concessions without considering the capacity of the country to stand fresh taxation.

Alluding to the military expenditure, Sir *Purushotamdas Thakurdas* said that there had been a substantial fall in the price of Indian articles required for the army and there was also a saving in respect of sterling expenditure in London, yet military expenditure was not reduced. The Government should earmark any surplus in future years for the purpose of constructive economic policy.

Concluding, he alluded to the cotton duties and said that in this matter the Government had shown a step-motherly attitude.

Mr. *N.C. Kelkar* said that Sir George Schuster's budget was a lucid but lurid statement. It was lucid not in the sense of sanity but of clarity. Its very lucidity made its luridity more obvious. Last year it was the case of cautious treading or soft-padded footfall of a tiger but this year the tiger was unrelenting and put its fingers deep into the vitals of the Indian people. Mr Kelkar wanted to know if the sterling loan of 12 lakhs recently started was absolutely necessary and if so why it has been floated in London and not in India. The budget was marked by hopeless extravagance, niggardly in provision for nation-building services and obstinate in the tendency to take the 1s. 6d ratio as a settled fact.

Continuing Mr Kelkar accused the Government of wild orgies of extravagance and criticised them for making interlocked tariff proposals which placed the country on the horns of a cruel dilemma. 'If we accept the Government's proposals we accept the vicious principle of imperial preference. If we do not, we cause misery to our cotton industry. The Finance Member has said that fiscal autonomy is a rock reality, but I say that fiscal autonomy is mock reality, for the present occasion imperial preference comes by the front door. The taxation proposals betray a callousness in the budget when there is such a depth of depression in the country. Only currency notes have not yet depreciated in value.'

Sir *Hari Singh Gour* said that even though the Assembly had now before it the tenth budget under the Reforms, the Government's military budget remained the same. He protested against this standardization and demanded an explanation. It was no wonder that Burma and other provinces wanted a separation from such a costly central Government, whose demands deprived them of elastic sources of revenue. Sir Hari Singh Gour particularly protested against Sir George Schuster's proposals for over-budgeting against future contingencies and to help the provinces. 'Let us think of the present. The future will take care itself.' He would oppose all additional taxation and unless he was convinced about imperial preference he would vote against it.

*Pandit Hriday Nath Kumar* maintained that Sir George Schuster's economics was not of a permanent character. He particularly attacked the military budget and said that if only the Inchcape proposals were carried out in respect of reduction of personnel of infantry battalions, both Indian and European, it would lead to an immense economy. Then, again, the question of capitation charge had been under

consideration for several years, but the Government had not yet come to any conclusion. The cost of transport of British troops, which the British Government had agreed to share by a half, was fixed at a time when it cost Rs 18 lakhs. Now that the cost would be Rs 38 lakhs, why should not the Welby Commission's principle of half share be applied? Finally, Pandit Kunzru touched the cotton duties and said that even the Dominions had not accepted the principle of discrimination against foreign goods, how could India do so?

*Mr. M. K. Acharya* deplored the Government policy, which had driven out of the House the Congressmen, who if they had remained in the House would have contributed to the better administration of the country. He traced all the depression to the artificial currency policy. He said: 'Are we to go to the electors and say: "Here is additional taxation which should be cheerfully granted because the Government has interferred not only with our economical rights but our national and religious institutions and said you shall not marry your daughters according to your religion?"' (Laughter) You may laugh now, but I shall see what answer you give to the electors. Speaking for the average man, I protest against any further taxation even for the sake of the Bombay Mills. I fear that if we discriminate against Japan she will prohibit the entry of Indian rice into Japan. India will then lose its market by trying to feed Lancashire.

*Mr. B. Das* objected to imperial preference in any form and was glad that Mr. Birla had expressed himself against it. The difficulties of the mill industry were not the labour troubles as Mr. Kikabhai Premchand said, but in over-capitalisation and mismanagement of capitalists. It was surprising that Sir Hari Singh Gour was lukewarm in his condemnation of imperial preference in the hope that India would get justice in London in the Round Table Conference for reforms. India objected to paying this price and should retire honourably in an equal footing without any such payment of a price. The military expenditure should be reduced straight away and those items of expenditure, like aviation and meteorology, which were really meant mainly for military purposes should be included in the military estimates. India did not want to quarrel with Japan, but the Government of India, by special preference, was dragging one Asiatic country into bad relation with another. He supported the earmarking of all revenue accruing from protective duties for being devoted to nation-building purposes.

*Mr. G. D. Birla* recalled that Sir George Schuster had told him at the Indian Chambers Federation that he would promote a sunshine league rather than a dark clouds league. Mr. Birla, therefore, expected to see all Government people wearing the badge of the sunshine league, but found that Sir George Rainy, with his railway deficit was the first seceder to join the black clouds league. He was followed by the provincial Finance Members all clamouring for the membership of this league. The latest victim of it was Sir George Schuster himself. Mr. Birla maintained that the financial position of India was very weak. If the malady were temporary, additional taxation could cure it. But the malady was deeper. Mr. Birla said that the result of maintaining the 1s. 6d. ration was that if all notes of silver rupees were presented to-day for exchange in gold, the Finance Member knew he could not pay more than 9d. per rupee.

*Mr. Birla* added:—'New taxation might create a patchwork. It cannot create money. At this stage we require not new taxation, but the creation of more money and prosperity in the country. Retrenchment, ruthless and drastic, is the remedy. We are wasting the resources on running our civil aviation and broadcasting undertaking. All these are luxuries when the country's position is so weak. There is thus in the budget neither retrenchment nor a constructive scheme which may lead to prosperity.' The country was in a worse position compared to the pre-war period. He quoted figures to show that the consumption of cloth and sugar remained stationary per capita. As regards the consumption of gold and silver this was consumed at the rate of Rs 1.4 per head. Was this excessive? He recalled the view that there was hoarding of gold and silver. On the other hand these were bought for consumption or investment, the latter owing to the absence of other deposit facilities. He commented on the fact that while in England the currency circulation totalled 360 millions the private deposits in banks were 2,000 millions. On the other hand in

India the currency circulation was 500 crores and private deposits in banks 200 crores only. He asked, had not the Government of India frittered away 140 crores worth of gold in maintaining the exchange ratio? 'Until we get full financial autonomy, I would be the last person to encourage the Indian people not to buy more gold. What guarantee is there that the moment Government again got our gold resources it would not dissipate them as has been done in the past?' (Hear, hear). The fact of the matter is that every constructive scheme requires money by way of subsidy or loan, and the time you begin to put money in circulation the money market weakens, and the exchange weakens. So that whether we go south, north, east or west it is this exchange question that like King Charles' head stands in our way and no constructive scheme of prosperity of the country can be put forward until the Government of India are prepared to forget the maintenance of the exchange at 1s 6d. Therefore, for the present, ruthless retrenchment is the only alternative. As regards imperial preference, Mr Birla wished at this stage only to express the hope that the Government realised that his side of the House would oppose any policy of imperial preference.

*Mr Lamb*, pleading the case for Burma, regretted that there had been no reduction in the duty on hides. He, however, welcomed the reduction of duty on rice and hoped that the Government of India would remit the duty entirely when the finances of the country permitted. Mr Lamb strongly protested against the enhancement of duty on kerosine oil and looked with apprehension the remark of the Finance Member in the budget speech that the enhancement was only the first step. He regarded the increased tax on kerosine as a direct attack on indigenous companies which would greatly benefit the foreign oil interests in India.

*Mr. Rama Krishna Reddy* attacked the military policy of the Government and urged that the military budget should be made votable. And although he welcomed the duty on sugar, he adversely criticized all the proposals of new taxation and felt that the tariff board should have been given a chance to examine the case of the textile industry before the 5 per cent protection was granted. He regretted that the Government had done nothing for the nation-building departments.

*Mr. K. C. Roy* congratulated Sir George Schuster on the fair and unvarnished account, but his analysis of the financial situation had fully borne out the prognostications of members like Sir Purshotamdas Thakurdas, Mr Birla and Mr. Chetty and had belied the forecasts of Sir Basil Blackett. Sir George Schuster had said, 'We are at the end of the troubles.' Mr Roy hoped that this would be realised and wished him good luck, so that there would be a prosperous budget next year. Mr. Birla had opined that retrenchment was the only remedy, but Mr Roy agreed with Sir George Schuster that there was very little room for economy in civil expenditure. Really speaking, there was room in the military department for the pruning knife. But on the civil side, Government need not have agreed to a certain expenditure this year and that too had been done, he regretted to say, with the help of the Standing Finance Committee. For instance, the taking over of broadcasting was a heavy responsibility and should never have been done now. Then again there was the appointment of a deputy secretary in the Education Department for emigration work. This was wrong, for with the growth of provincial autonomy the size of the Government of India must be reduced. He also objected to the creation of the costly post of an administrator for New Delhi which was untenanted for the greater part of the year. The axe must, therefore, work on the military expenditure which had grown from 21 crores in 1890 to over 55 crores at the present time. Really the increase of 30 crores was unjustified. He appealed to Sir George Schuster to bring the Brussels recommendations into active operation so that there might be prosperity ahead. Mr. Roy disagreed with Sir George Schuster in his political diagnosis and feared that there was the spirit of retaliation breathing through this part of the budget speech. Politically, as economically, India was passing through a world process of evolution. Was there not political assassination even in Geneva? The Indian public had enough of sanity to know its own interest. If India lost credit in the world market, it was because of the melancholy impression brought about by the failure of the Government of India to carry forward such Bills as the Public Safety Bill and the Hunger-Strike Bills. Concluding Mr. Roy criticized the Empire free trade policy and objected

to the Government of India imposing taxation in the hope of helping the provinces, because the whole constitutional structure was undergoing a change and none knew whether there would be a federal or unitary government.

*Sri Cowaji Jahangir* said that the Government had for long agitated, cogitated, and hesitated in the matter of the cotton industry, but better late than never. The Government had, however, coupled protection with proposals which no member of the House could ever accept. (Hear hear.) No British Dominion had accepted the policy of imperial preference or given preference to Britain, if there was the slightest suspicion that a Dominion would be adversely affected in the future. 'To ask us to do anything which was not absolutely in the interest of the country would be absolutely ridiculous and absurd. We are told that the exemption which is proposed is in the best interests of the country. The three points which should be considered in this connection are, whether imported goods from England compete with ours in this country, whether the exemption given to England is really a relief to the consumers of India and, thirdly, whether this exemption will by any chance within the next three years enable imported goods from England to compete better with our own'. He proposed to discuss these matters later in connection with the Tariff Bill. He welcomed the Finance Member's statement that fiscal autonomy was real and said 'Let us not forget that under the present constitution, the Government of India have to take their budget to the higher authorities and only recently the Finance Member had proceeded 6,000 miles to take his instructions. I accept the Finance Member's statement but hope that the convention will now be given statutory effect under fiscal autonomy. We do not want our Finance Member to go 6,000 miles for instructions. We do not desire appeals to be made by England or any other country, not before the budget is introduced but after it has been introduced in this House. That would be the reality'. The Government has asked us to keep in view the grave importance of wider considerations. I find that since the Viceroy's Announcement the original trustee theory has been replaced in a section of the powerful British press by open declarations that India is necessary for England and further reforms are dangerous to the interests of England, because India is England's best market. *Sri Cowaji* said that when the appeal was made to the House to look at the questions fairly, he would remind the members of the Government of the powerful section of England which was against giving us any reforms. He deprecated the outrageous monstrous policy that one country should not be allowed to advance because its trade is to be reserved to the other country, that our industries and commerce should remain where they have been because the interest of another country are affected. The appeal, therefore, was inopportune. As regards the measures of taxation the House would keep its mind open till these Bills are presented.

*Dr. B. S. Moonje* confined his criticism to the military budget and held that unless it was very much reduced, India would never be satisfied. He felt that the provision for the nation-building part of the military was entirely inadequate and the present policy of the Government would perpetuate the dependence of India on foreign defence. Even from the selfish point of view, the Government should place greater reliance on a national rather than on a mercenary army. The Colonies, he said, were spending lavishly on the development of a territorial army on which they depended for their defence, while in India the Government had made a provision of Rs 5,00,000 for the purpose in the current year. He urged for greater facilities for rifle clubs in India and for a rapid development of the territorial army.

*Pandit M. U. Malaviya* felt that the budget proposals were the greatest indictment of the present system of Government under which the expenditure was ever growing irrespective of the needs of the country. Taxation in India had been kept on the war level and it was now proposed to add it up by five crores. 'We cannot think of a more wicked system of Government which has deliberately kept up as such and the sooner we end it the better for the humanity of India. Pandit Malaviya attributed all the troubles of the Government to the policy of 18d. ratio and urged that the right policy was to undo the evil. The silver duty would have to pay five per cent more than the world market price now and would have their saving further reduced when the duty was removed. Pandit Malaviya described the 5 per cent protective duty to the textiles as a bounty to the Lancashire goods imposed with the sole

intention of driving out Japan from the Indian market. With the increase in the income-tax rates, this duty would in no way help the Indian manufacturer.

Proceeding, the speaker said that the Finance Member had made an appeal on behalf of the British Government and had warned that any adverse decision of the Assembly would prejudice the British public opinion at the Round Table Conference. Pandit Malaviya asked whether it was right for the Government to put such a pressure upon them when they were not told what the Government proposals regarding Dominion Status were. But he said, 'If we fail to yield to your pressure and do not respond to the British Government, the responsibility for it would be with the Indian Government.' In conclusion, he said that retrenchment and taxation to the needs of the country was the only right course for the Government.

Mr. M. R. Jayakar said that he wished to discuss the budget as a politician. Sir George Schuster had claimed that he had come as a doctor to diagnose the disease and to speak frankly. Mr. Jayakar therefore was much concerned to learn that this doctor believed that there could be no further retrenchment. A retrenchment of 80 lakhs in 55 crores of military budget was a great joke. Mr. Jayakar reminded the House that when Mr. Bryce who was a constitutionalist visited India he gave his impression as follows: 'I smell gunpowder every where in India.' He would add that he smelt gunpowder everywhere through this budget. Taxation could not be justified by any canon to enable the spender to meet his extravagance.

Sir George Schuster, in a comprehensive reply, in winding up the debate met the salient points. He admitted that it was quite possible to disguise the deficit, but that could not be reconciled with his financial conscience. He did not take a gloomy view of the position, but held that the gap had occurred because the revenue expectation had not been realized. He was asking for additional taxation essentially for the next year at any rate to cover the gap. But in case a surplus accrued hereafter, that would be needed for distribution to the provinces. He found that the criticism and approval of the taxation proposals had balanced each other. There was counterbalancing advantage in all his taxation proposals except perhaps that regarding income-tax. But this he imposed so that thousands who charged the Government with extravagance would know that the Government officers too would have to bear the burden. Sir George Schuster particularly defended the silver duty and held that there would be no occasion for taking it off unless silver again appreciated to the war-time value. He was considering Mr. Chetty's suggestion for a duty on silverwares and silver thread. As regards the cotton proposals, he denied Pandit Malaviya's charge that it was imperial preference in an insidious form. The statement was perfectly frank and straightforward. (Applause.) The Government believed that no case whatever had been made out for a general increase in cotton duties beyond 15 per cent. As regards retrenchment, he assured the House that the retrenchment officer would be able to bring about an elimination of the wasteful items in the details of administration. As for retrenchment based on a change of policy, this was held up till the constitutional changes had occurred. This applied to military expenditure as well, but he did not agree with Mr. Jayakar that the reduction of 80 lakhs representing 2 per cent of the Army estimates was a joke. He hoped that after the re-equipment programme was over, there would be further reductions in the Army budget. But matters of policy had to wait till the next reforms. That was why the Finance Member had not been able to do as much as he had wished in these spheres. Concluding, Sir George Schuster agreed that the country badly needed a constructive economic policy and said his own mind too was moving towards the proposal made by Mr. Chetty for an advisory economic council, as there was at present no touch between the Government and unofficial opinion on this subject. He invited the leaders to make suggestion on the point and assured them that every member of the Government had the same objective as the Opposition, namely, advancement of India. (Applause.)

#### Tariff Act (Amendment) Bill

6th. MARCH :—The Assembly sat for 50 minutes on this day to transact official business. At the outset Sir George Rainy presented the select committee's report on the *Indian Companies Act (Amendment) Bill*.

Sir Georgy Rainy then moved the consideration of the *Indian Tariff Act (Amendment) Bill*. He explained that two changes had been made by the select

committee the first to make provision for specification by notification of such substances as might be considered necessary to be brought under specific duty applicable to saccharine, with the object of securing uniformity of treatment at the various ports, and the second, to adopt a convenient method of securing to the Government a revenue corresponding to that formerly received by the Indian Board-casting Company from imports of wireless receiving sets by restoring the statutory duty of 15 per cent 'advalorem' or part of it. The select committee recommended that no alteration should be made in the statutory tariff. The motion was considered and the Bill was passed.

#### Steel Protection Bill

Sir George Rainy next moved the consideration of the Steel Industry Protection Bill. He said the select committee had reported without making any change.

Mr Das, moving an amendment that the Bill should come into force on the 1st July, 1930 said that in the select committee there was no substantial difference between himself and the Government on the main object of the Bill. He, however, felt strongly that if the Bill was enforced immediately it would impose hardship on importers, and he read a telegram from the Bombay Iron Merchants' Association praying that the Bill should come into force after June next.

Sir George Rainy, opposing the amendment, said that if the amendment was accepted it would depart from the uniform practice which was hitherto followed in the case of import duties and that would be to the detriment of the protected industries. The Government's intention was that if, the Bill was passed, it would be brought into force within seven days. The amendment was rejected and the Bill was passed.

#### Patents Act (Amendment) Bill

Sir B N Mitra moved that the amendments made by the Council of State in the Indian Patents and Designs Act (Amendment) Bill, which were very formal and three in number, be accepted by the House. The motion was agreed to.

#### Special Marriage Act Amend. Bill

Mr. Gwynne (joint secretary, Home department) moved that the Special Marriage Act (Amendment) Bill, as passed by the Council of State, be taken into consideration. He explained that sec 2 of the Special Marriage Act of 1872 prescribed the conditions under which marriages could be celebrated. One of these was that each party must, if he or she had not completed the age of 21, obtain the consent of his or her father or guardian to get married. In the forms of declaration there was nothing to require the parties to declare their exact ages at the time of marriage. The result was that the registrar of marriages could not enforce the provisions about the consent of parents or guardians if the parents to the marriage refrained from filling in the relevant para of the declaration. In a recent case the Calcutta High Court had pointed out the desirability of supplying this omission. The object of the Bill was to secure the proper identification of parties and witnesses and also to make certain other amendments in the forms.

Sir Hari Singh Gour, opposing the motion, said that the measure was very defective and drew attention to the Majority Act, which fixed the majority age at 18 and said that if the Bill became law it would disqualify the marriages of those persons who under the Act could not have either a guardian or whose father was dead.

The Home Member pointed out that the intention of the Bill was only to remove the difficulty of administering the law.

Mr. Jayakar supporting Sir Hari Singh Gour, said that by the proposed enactment the Government created a worse anomaly than before. Surely India had made great progress since 1872, and if the Government could not change the age of 21 into 18 they should leave the law where it was.

The Law Member regretted that he had not applied his mind to the Bill. Sir Hari Singh Gour's criticisms were perfectly legitimate. It was always the purpose of legislation to leave no room for anomaly and make all points clear.

Mr. Gwynne withdrew the Bill.

### Other Amendment Bills

On Mr. Gwynne's motion the *Prisons Act Amendment Bill*, as passed by the Council of State, was passed, and on the Law Member's motion the bill to amend certain enactments and to repeal certain other enactments, as passed by the Council of State, was considered and passed. The Assembly then adjourned.

### Demands for Grants—Executive Demand

7th. MARCH.—Voting on demands for grants commenced on this day. Mr. Kelkar moved that the demand under the head 'Executive Council' be reduced to one rupee. He pointed out that Mahatma Gandhi's eleven demands were not exhaustive but illustrative, and Mahatma Gandhi had in effect said 'If you meet these illustrative demands it would show a certain change in the angle of vision of the Government.' Proceeding, Mr. Kelkar said that Mahatma Gandhi's demands were not all of them, like prohibition, reduction of land revenue and military expenditure, fantastic, but they were some of the items of good government, which if refused, would only mean that there was no change of heart in the Government. Good government was no substitute for self-government, in which the people must get a chance through their representatives to carry out the national will. A nation might be wrong in its view, but it could claim the right even to make mistakes, if mistakes there must be. But now in India the legislature was controlled by the executive in respect of initiative procedure, ballot, allotment of days for sessions, etc. Practically there was a monopoly of time for official business and exclusive rights, for example, in respect of money bills. In a responsible government the legislature could collectively have its revenge against the executive by sending the Cabinet into the wilderness as the French Cabinet had been scattered like pins at short intervals. In India the executive Government understood responsibility in the sense of power and the nation, therefore, felt humiliated because the legislatures, even with elected majorities had no power and no initiative and national policies were expressed only to be frustrated by the obstinacy of the executive. The claim for responsible government arose through this humiliation. Under the present constitution the ultimate authority and power was in the hands of the Secretary of State, whose Council in London was an eye-wash. Who could forget that Lord Birkenhead did not know who was Mr. Mullik and who was Dr. Patanjali? The substance of India's claim for responsible government was that the Secretary of State's office should be abolished, and the Secretary of State's powers should be transferred to the Indian Government, which should be a national Government and be Indianized and made responsible.

Sir James Orlor on behalf of the Government agreed that constitutionally they were not responsible to the Legislature in the sense that they were not removable by a vote of the House but he repudiated the allegation that they were irresponsible in every sense. On the other hand, during the last ten years, in spite of the many handicaps and disadvantages, the administration was carried on in the upshot to the benefit of the people of India. Important political developments had taken place and were taking place and though he could not predict the precise steps which would be taken to promote further advancement of India's political future he had no doubt that they would be in full accordance with the pronouncement of 1917. He trusted that the London Conference would give effect to what the Viceroy recently told the House, namely, elucidation and harmony of views. Meanwhile the Government had two important duties to perform—firstly, to adhere loyally in spirit and in letter to the Declaration of 1917, and secondly, to maintain by every means at their command all those conditions including the maintenance of peace and order which were necessary for the development and fruition of that policy.

The House divided and Mr. Kelkar's cut was lost by 39 against 50. The demand for the Executive Council was carried. The House then adjourned.

### Army Demand

8th. MARCH :—The Army department grant was moved by Sir George Schuster on this day.

Mr Abdul Matin Chowdhury moved the Independent Party's cut reducing the amount to one rupee. It was intended, he said, to be a protest against the general military policy of the Government and in particular their policy of not giving effect to the recommendations of the Skeen Committee. The Government policy through-



out had been to exclude Indians from the higher ranks of the army and perpetuate the hegemony of British officers in the army. The last European War had exploded the myth of the whiteman's burden and the whiteman's superiority and India could no longer be ruled by it. Wisdom and statesmanship demanded that the Government should make a ready response to the demand so ably set forth by the committee whereon Sir Andrew Skeen presided. That committee had advised the Government to start an Indian Sandhurst by 1935 and the Army Secretary had wanted India to wait till 1933 and not worry until that time.

Mr. Mackworth Young, intervening, said : I did not say that the institution was to start by 1933.

Mr. Abdul Main Choudhury. — Then you are shelving all the major recommendations of the committee. The Indian youths are thirsting for freedom and already crying 'Long Live Revolution'. They are getting imbued with the lessons of the lives of Dr. Vakra and Michael Collins. If you don't give opportunity for their energy and enthusiasm by providing high places in the army that might find an outlet in other directions. If you ignore the report of the Skeen Committee it might not be long when the salute of the Union Jack will give place to the salute of the Independence Flag.

Mr. Mackworth Young, army secretary, said that it was not true that the Government had not done anything to follow the recommendations of the Skeen Committee. The Government had increased the number of vacancies for Indians in Sandhurst from 10 to 20 and had thrown open Woolwich and Cranwell and were taking Indians for artillery and engineers. No doubt the Skeen Committee had produced a time table for increased numbers to be admitted in Sandhurst but they could not proceed every year agreeing to the time table unless it was established that the results were satisfactory. As Dr. Moonje had said the results last year were satisfactory and the Government hoped that qualified cadets would come in increasing numbers. Not only were the Government doing their best to expand the vacancies but as stated by the Secretary of State a few days ago they were considering the question of training Indians in India for the King's Commission. But an Indian Sandhurst could not be started unless there was the required number. That was why the Government were watching the results of the examinations. Regarding the eight unit scheme the army secretary reiterated the remarks made by the Commander-in-Chief in the Council of State that there was no intention of abolishing the scheme because the success of the experiment could be tried by concentrating Indians in select units and not by scattering them throughout India. He assured that the feeling against the scheme which was said to exist among Indian officers was fast disappearing and as a matter of fact Indians preferred to join units where Indians were in a majority. It was natural that birds of a feather must flock together. Regarding military expenditure Mr. Mackworth Young said they were facilitating every plan by which they would be able to make a gradual reduction. Some reduction in fighting units had been already made as a result of the reorganization scheme.

The House by 49 against 44 votes carried the motion amidst Opposition cheers. The Assembly adjourned till the 10th.

#### LEAVE FOR ADJOURNMENT

10th. MARCH. — There was unusual activity when the House met on this day. At the outset Pandit Malaviya moved an adjournment motion to discuss Sardar Vallabhbhai Patel's imprisonment. He said that Sardar Vallabhbhai Patel was acting along with Mahatma Gandhi and directing an agitation against the salt laws under which the people were prohibited from manufacturing salt. He was held in great esteem by the people. He had gone to Borsad and wished to address a public meeting but had hardly uttered a few words when he was put under arrest for the violation of the order prohibiting speech for a month. The order was under the Bombay District Police Act. The question arose whether the Government was justified preventing Mr. Vallabhbhai Patel from making a speech. The Pandit declared that he did not object to any man who offended against the law being punished.

Pandit Malaviya said that Mahatma Gandhi too had declared his intention to start his campaign on March 12. A large number of people would follow the same course. This was sufficient to show that the importance of the issues involved was great.

"My object is that this matter involves great principles. You should have a definite policy behind it and should give us an opportunity of pointing out the dangers involved in leaving the provincial Governments to take an independent course and not follow a policy which the central Government should lay down. In 1921 25,000 men were arrested by the local Governments without consulting the Government of India. I do not want that to recur without the Government of India laying down the proper policy."

Sir James Crear raised no objection and as the President held the motion in order the discussion was fixed for in the afternoon.

#### Home Department Demand

Mr. Shafi Daudi then moved a cut of Rs. 100 under the Home Department Demand. In doing so he raised the question of the Government's policy towards political prisoners in general and their treatment in jails in particular. He said that the country was under foreign rule. Therefore the argument that European countries did not recognize political prisoners was not applicable to the unique cases of India. A comparison between the life of India as it was to-day and 30 years ago and the physical deterioration that had occurred showed why young men were getting excited. I maintain that the political prisoner's struggle to minimise the exploitation of one by the other is a very noble struggle and the man who has the courage of his convictions to start such a campaign should be more respected than humiliated.

Sir James Crear confessed to a feeling of disappointment and remarked that none had given a suggestion for a definition of 'political prisoner'. The Government attitude on this point was one of complete candour but as in England, America and other countries so also in India it was found difficult to define them merely as political prisoners, irrespective of the nature of the offence. The local Governments' unanimous conclusion was that it was impracticable to define the term. He pointed out that the principle of equity was involved in classifying a prisoner on the basis of his previous standard of living and the new rules eliminated all difference based on racial grounds. He affirmed that the revision of rules had been carried through in a really sympathetic and careful spirit and the conclusions marked a definite stage of progress.

The House by 52 votes against 39 rejected Mr. Shafi Daudi's cut. The Independents who were given freedom of vote remained neutral *en bloc*, except Mr. Fazal Rahimtullah and another member. Mr. Mody also remained neutral.

The Home Department's grant was then voted.

#### Finance Department Demand

Sir Hugh Cooke next moved a cut of Rs. 100 in the demand for the Finance Department to urge retrenchment. He said that he had nothing very striking to suggest, but held that there was a good case for the appointment of a small *ad hoc* business committee with military experience, such as the Inchcape Committee had proposed, to plan out a constructive programme of decreasing expenditure spread over five years. He urged the association of two unofficial businessmen in the task. Touching the spheres of reduction he asked whether following the practice of business houses the Government and the Army could not bring about a reduction by giving the Government cars to officers rather than car allowances. He also referred to an article in the "Daily Chronicle" condemning usury. The speaker endorsed the article and said that the Government should lend money to people at reasonable rates and if for such a department they required more money they could impose an additional three-annas tax on salt. That would well repay the masses and be of substantial benefit to them.

Sir George Schuster said the question of economy in detail would be shortly reviewed by a special officer who would go into the causes of the growth of expenditure in the civil side. As for the military side, he informed the house that since the question of stabilisation came to the forefront an economy campaign on energetic lines had already been afoot at the Army Headquarters and the result, he expected, would be substantial economy in the Army expenditure, quite apart from what might follow as the result of the changes in policy on which they could not say anything on the eve

of the publication of the Simon Report. Alluding to the remarks of Sir Cowasji Jehangir, the Finance Member said the case of Bombay had no real analogy to the conditions in the Central Government, for in Bombay with its looseness of control over expenditure and its ambitious programme there was room for economy, whereas here it was the other way about. The Finance Member added 'If you adopt indiscriminate restriction in expenditure there would be committed grievous injury to the public services'. At a time when Government officials were to be busy with considering the change as the result of the constitutional reforms to be suggested, this was hardly the time for a large scale economy campaign.

At this stage the clock struck 4 and the President called on Pandit Malaviya to move the adjournment motion. Thus the debate on Sir Hume Cocke's motion was talked out.

#### Govt Censured on Sardar Patel's Arrest

*Pandit Malaviya* moved the adjournment of the House to enable the Government to declare the policy they were going to pursue in connection with Mahatma Gandhi's movement. Pandit Malaviya traced the history of Mahatma Gandhi's work during and after the war up to the excellent response made by the country to the Viceroy's Announcement, but Lord Russell's speech which the British Government did not repudiate, followed by the Viceroy's address to the Assembly which modified the previous position of the Viceroy's Announcement, changed the situation. The Congress in these circumstances adopted the Independence resolution, but Mahatma Gandhi even then made it clear in writings and in the latest letter to the Viceroy that the Congress would be prepared to surrender and accept Dominion Status if promised definitely now. The Viceroy's reply was a little curt but Mahatma Gandhi finding no hope of Dominion Status had decided to launch civil disobedience on non-violent lines, a movement which was intended to invite the attention of the country and the civilized world to the evils of the present system.

Pandit Malaviya said he had personally wished that Mahatma Gandhi had waited longer and allowed more time for negotiations for a settlement. But he asked the Assembly whether in the circumstances which were facing Mahatma Gandhi, the latter was not acting with the best motives, involving the utmost sacrifice for the sake of the country's freedom. To promote the movement, Mahatma Gandhi had selected the salt tax. Sardar Vallabhbhai Patel was carrying on a non-violent propaganda. The magistrate served him with notice under sec. 42 of the District Police Act. Sardar Patel had been imprisoned. This was not an isolated case. He asked the Government to remember that no less than 50,000 or even a lakh men were ready to follow Mahatma Gandhi to the jail. What was the Government going to do? This was not a case of ordinary inattention to offences. It was a deliberate determination of men who would not let the British rule in India continue without the consent of the people of India. In such circumstances, would the Government allow the provincial Governments to issue individual notifications of the character whereunder Sardar Vallabhbhai Patel had been punished.

Finally Pandit Malaviya urged the Government to bring the serious situation to the notice of His Majesty's Government, otherwise India would have to go to the League of Nations of which she was an independent member and put her case before the bar of the public opinion of the civilized world (Applause). On the other hand, a statesmanlike policy would end the trouble and bring happiness and contentment.

*Sir James Crerar* dissented from the construction put on the political events by Pandit Malaviya and declared that wider issues could not be discussed in the short time at his disposal. The direct immediate issue was the arrest and imprisonment of Sardar Vallabhbhai Patel. He quoted sections 42, 54 and 71 of the Bombay District Act which authorised the local authority to prevent harangues which might cause a disturbance and arrest the person who did not desist from so doing after the notice and punish him. He said he must recite the facts, though these might be painful to some members. The authorities judging from the speeches which Sardar Patel had already been making advocating breach of the law, non-payment of taxes, and boycott of Government servants considered it necessary in the interest of the peace of the district to take the action. But Mr. Patel defying the order delivered

a speech and was arrested, and pleading guilty was imprisoned. Speaking from a personal experience of the district, during the non-cooperation days, Sir James Crerar said this was the district wherein non-cooperation was particularly active and had a bitter experience of the aftermath of the tragedy and terror caused in the district by an outburst in an epidemic form of the dacoities and murders which took the Bombay Government two years to suppress and restore peace. 'If the local magistrate realizing the inflammable character of the material had not taken the action he did, I submit he would have been guilty of a grave dereliction of duty. I commend to the house his resolution and the promptitude wherewith he took action.' Pandit Malaviya had asked for a pronouncement of policy regarding the movement whereof this incident he treated as an issue. Sir James Crerar said that this had been declared to the house by the Viceroy's address wherefrom he quoted showing that while pursuing the path of conciliation Government would effectively maintain law and order.

Sir James Crerar added, 'It is the desire of the Government of India to do everything in its power to preserve the conditions which were necessary to enable the policy made in the Announcement being given effect to. I cannot myself believe that breaches of law, from whatever motive committed—a course of action which is likely to inspire contempt of the authority of law—is a course which can possibly do any good either to the political or economic or any other interest of India. (Applause) I repeat that nothing would be gained by the breaches of law, and if the Government and its servants have in this particular instance, taken action they have done so under compulsion of a very great public duty, a dereliction whereof would have been a great condemnation of their action. Sir James Crerar, therefore opposed the motion.

*Mr. Aney* suspected that the district magistrate utilised section 44 of the Police Act because if he had used section 144 of the Criminal Procedure Code he would not have found evidence against Sardar Vallabhbhai and the impropriety and illegality of his action would have been questioned in action and I maintain there was no emergency. If Sardar Vallabhbhai Patel made any speeches which came within the purview of the Penal Code he should have been arrested and if he was convicted in the due course of justice then I should be the last person to complain.

*Mr. K. M. Munshi* said that the Government's action in depriving Mr. Patel of liberty of speech was unconstitutional and must be condemned. He recalled Mr. Wedgwood Benn's assurance that only those who advocated violence or incited people to violence would be arrested. Sir James Crerar had not told them that Mr. Patel had incited the people to violence. He had only rightly disobeyed an unlawful order, therefore the House must guard against endorsing the grave principle that Government could prosecute men for expressing opinion.

*Mr. M. A. Jinnah* said that the movement the Government had to deal with was an organised civil disobedience movement. He asked the Government: Are you going to deal with it with the responsibility of the Government of India or are you going to leave it to be dealt with by petty magistrates?

Sir James Crerar promptly answered amidst applause: The general direction of policy must necessarily be and will remain in the hands of the Government of India but dealing with an emergent situation requires emergent action which must necessarily be left to the responsible officer on the spot.

Mr. Jinnah proceeding welcomed the first part of the Home Member's answer to his question and remarked, 'I am glad you realise that the Central Government is responsible for law and order and I want you to maintain law and order. (Hear, hear) But as for the second part that the officer on the spot must take emergent action as he thinks fit, I ask where was the emergency which justified the magistrate in passing an order under the Police Act? If Sardar Vallabhbhai had in previous utterances transgressed the limits of which no information has been given then he should have been prosecuted for it but now, by arresting and imprisoning Mr. Patel, in the manner he was, a dangerous precedent has been created. It was an attempt to suppress political opinion and therefore I ask the Government of India to see that their policy of maintenance of law and order is not deflected by whimsical actions of magistrates.

At 20 minutes to six the House divided and the adjournment motion was rejected by 53 against 30 votes, the Independents largely remaining neutral and the Central Muslims as a party voting with the Government. The House then adjourned till 11th.

**11th. MARCH** —As soon as the Assembly met, it went into division over Sir Hugh Cocke's cut of Rs 100 over the Finance department and defeated the Government by 43 votes against 34 this being the second Government defeat of the session. All unofficial parties joined the European group and inspite of the thinness of unofficial benches were able to outvote the Government

#### N. W. F. PROVINCE

Mian Shah Nawaz moved on behalf of the Central Muslim group a cut of Rs 100 to urge reforms in the North-West Frontier Province. He thought that India would soon attain Dominion Status and he wanted the Government to grant reforms to the frontier people also and save them from the iron heels of the frontier crimes regulations. The expenditure caused by the introduction of reforms would be paltry and the money saved from the border militia and frontier constabulary would contribute very largely towards the reforms expenses.

Mr. Howell, foreign secretary, said that Sir Denys Bray, whose ability and integrity the House very well recognized, had assured them that real difficulties existed in giving effect to the Bray report. Unless they charged Sir Denys Bray with shifting ground and trickery and having done nothing all these years, they must accept those assurances. Nawab Sir Abdul Qaiyum knew as well as the speaker that the difficulties were real.

Mr. Howell recalled the speech of Sir Zulfikar Ali Khan last year when the Nawab reported a conversation with trans-border elders who had said that they did not wish to be left behind if India got reforms. The question was, were the trans-border people to be excluded or included and, if included, who? Mr Howell hoped the House realized that in view of the Simon Commission, if the Government had after the last year's debate proceeded to give effect thereto, it would have constituted an act of lunacy and not statesmanship. Speaking not as Foreign Secretary but as an Englishman he said that every Englishman naturally had great sympathy with the frontier people who were like Englishmen in their earlier stages, and Englishmen had a strong desire to gratify the aspirations of such people. He announced on behalf of the Government that the Government was pledged to give its most serious, earnest and sympathetic consideration to the question and when the time came for action, the Government would do everything to take whatever action it thought proper without any further delay. The cut was carried, the Government not opposing.

#### Demand Under Customs

Sir H. S. Gour next moved a cut motion under customs for an all round 5 percent reduction. He reminded the Assembly of the experiences of the first Assembly which was faced with a similar situation and succeeded in making retrenchments through the efforts of the Inchcape Committee. He wanted the present Assembly to follow the example of its predecessor.

Sir George Schuster explained how indiscriminate cutting down of expenditure in this manner was neither practicable nor expedient. He referred to the increase in customs work during the last five years and said that increased expenditure was only a corollary. He maintained that Government were aiming at a steady continuous reduction of expenditure in every branch of the service with intelligence and discrimination and remarked that Sir H. S. Gour's suggestion would result in endangering the efficiency of a public service.

Sir H. S. Gour's motion was lost by 31 against 47 votes, a few Nationalists and a number of the Independents and the Central Muslims remaining neutral.

Mr. Anwarul Azim then moved a cut of Rs. 100 as a protest against the inadequate recruitment of Muslims in Customs services.

Sir George Schuster assured the mover that the Government circular on the subject of minority representation was kept in view, but that the local authorities with whom rested the recruitment found considerable difficulty in obtaining candidates of the requisite qualification.

The motion was rejected by 42 to 21 votes, the minority consisted mainly of Muslims, while the Nationalists were mostly neutral.

Maulvi Sarfaraz Husain Khan moved a cut to urge checking of the importation of articles used for adulteration of ghee. The motion was lost by 43 to 37.

The customs grant was passed and the House adjourned.

#### Five Per Cent. cut in Income Tax

**12th. MARCH :—**The voting on the demands for grants was finished on this day. Sir Hari Singh Gour again pressing an all-round cut of five per cent this time under income-tax said that he wanted to compel the Government to make retrenchment in civil expenditure. The Army authorities, he understood, were engaged in trying to effect economy. He remarked that certain expenditure was abnormal and the increased taxation this year was unjustifiable.

Sir George Schuster informed the House that the Government's idea was that the report of Mr. Jukes, the special retrenchment officer, would be placed before the Assembly in the form of certain definite proposals, for they should in their anxiety to effect economy see that they did not misfire and that their aim was right. He had no objection to consider the suggestion of associating Mr. Rama Rao or any other Indian officer of the Finance department with the Jukes enquiry, if this was possible. He understood that Mr. Rama Rao would be very busy in connection with the problems that would result from the publication of the report of the Simon Commission. As a matter of fact the Finance department relied largely on Indian officers. Retrenchment could not be discussed in the abstract; they must come down to practical detail. There was no evidence to show that they had been over-budgeting. Concluding, the Finance Member reiterated his view that the money needed for the next year was the barest required and along with the House he prayed for better times, in future, so that in the coming reforms when the provinces would be enjoying more powers there would be larger resources for them to proceed with nation-building programmes. Sir H. S. Gour's cut was lost without division.

#### Cut in Salt Tax

Some liveliness was noticed when the House came to discuss the cut under 'salt tax' moved by Mr. Amarnath Dutt, who pleaded for the total abolition of the department and for the abolition of the salt tax. He alluded to Mahatma Gandhi's campaign of civil disobedience launched in respect of the salt tax which he assured the House would succeed, because the masses were behind Mahatma Gandhi in this 'religious and non-violent war.' He appealed to the Government to take note of the tendencies of the time and not to turn a deaf ear to the appeal of the greatest man of the world.

Sir George Schuster did not think that even if the salt tax was abolished by a stroke of the pen the political danger would disappear on that score. The Government had been considering the question of the production of a better quality of Indian salt and the marketing facilities. The Tariff Board would go into all the questions. That was the way to advance the interests of the poorer masses and not abolition of the salt tax which would result in financial difficulties for the Government.

The cut was lost.

A few other heads were discussed and all cuts were utilised by members for eliciting information on minor points. At 5 p. m. the guillotine was applied and all the remaining demands in the budget grants were carried, there being no division on any of them. The net result of the five days' discussion was that the Army department was refused its entire demand and the Finance department and the North-West Frontier lost only Rs. 100 each. The House then adjourned.

#### The Tariff Bill

**13th. MARCH :—**The Assembly met on this day to consider the Tariff Bill, round which the controversies regarding the cotton duties centred.

Sir George Rainy, moving the consideration of the Bill amending the Cotton Tariff Act of 1894 and the Indian Tariff Cotton Yarn Act of 1927, occupied 40 minutes surveying and emphasising the points contained in the statement of objects and reasons. Referring to the amendment of 1927, he pointed out that this Bill

expired in 1930 and it was for the Assembly to decide whether the protection then given as against Japan should continue or not. In 1927, in Japan there was no limitation of night work by women, but under new law it was forbidden. In India the restriction imposed was narrow, for night work by women was forbidden. In Japan, there were two shifts of work comparing to the ten hours' work in India. With the passing of the Japanese Factory Law of 1929, the unfair element in the Japanese competition had disappeared but the total imports of twist and yarn from China had increased from 945,000 lbs. in 1926-27 to 11,500,000 lbs. in 1928-29. The imports for the first nine months of the current financial year were 7,500,000 lbs. Moreover, until January this year, the Chinese law placed no limit on the hours of work of either men or women and no restriction on the employment of children. Though on January 16 last a law in this connection have been promulgated there, there was no evidence that steps had been taken to make this law effective. The Chinese mills must be regarded as possessing an unfair advantage justifying the continuance of the minimum specific duty imposed in 1927. If the conditions changed in China, the position might be re-considered. But now the Government of India must reserve to themselves entire freedom to continue the duty for three years and it was equally free to propose discontinuance before that period. Proceeding, Sir George Rainy said that on revenue grounds alone the Government considered it necessary to raise the duty from 11 to 15 per cent. and it was proposed to impose a duty of 20 per cent. ad valorem on piece goods not of British manufacture and minimum specific duty of  $3\frac{1}{2}$  annas per pound on plain grey goods not of British manufacture. In substance what the Government felt was that a 20 per cent duty imposed all round would raise the cost to the consumer in respect of enormous quantities of goods which were in effective competition with India-made goods and the benefit which the Indian manufacturer would derive for the proposed three years would be very small. The Bill provided against the danger of substitution of cloth for plain grey. The principle underlying the Bill was that it was necessary in the existing circumstances to protect the manufacturer of Indian piece-goods and beyond that it would not commit the House. The Government were not asking the House at this stage to give a final decision on the question whether the scheme of protection should have preference for British goods. He would be misleading the House if he gave the impression that the Government would be prepared to discuss the various amendments tabled by the Opposition or accept any drastic change in the scheme embodied in the Bill, but the Government would be prepared to accept Mr. Shanmukham Chetty's amendment, putting a minimum specific duty of  $3\frac{1}{2}$  annas per pound in respect of plain grey goods of British manufacture as well.

The Government approached the question from the point of view of giving effect to the declared policy discriminating protection with due regard to the interests of the consumer and benefit to the industry. Their immediate object was to protect the industry, leaving it open to the Tariff Board at the end of three years to review the position. No other scheme would be equally effective and equally fair to all the interests concerned. It was recognised that the methods adopted involved preference for British manufacturers, but it was likely to further and not to prejudice India's interests when all the circumstances were taken into account. Otherwise no member of the Government would have made himself responsible for this Bill. (Applause.)

Concluding Sir George Rainy said that India could produce all its requirements in respect of plain grey goods and as this faced competition from Japan it was necessary to impose limited protection for three years.

#### PANDIT MALAVIYA'S ENQUIRY

As soon as Sir George Rainy sat down, Pandit Malaviya referred to the correspondence laid on the table of the House yesterday\* and said that it did not contain the original proposal made by the Government of India to the Secretary of State and wanted to know if it was true that the Government proposed a 15 per cent. revenue duty and  $3\frac{1}{2}$  annas per pound protective duty on all plain grey goods.

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\* The following correspondence was placed on the table of the Assembly on the 12th March :—

*From the Secretary of State to the Viceroy, dated the 8th February.*—The Cabinet, with reference to the proposed increase in Indian cotton duties, resolved at a special meeting held this morning that it would not be inconsistent with the procedure governing the now well-recognised fiscal autonomy convention to make at this stage the following representations to the Government of India; firstly, the

Sir George Rainy said that the original proposals formed part of the letter which correspondence was always treated as confidential, but he hoped in the course of the debate to throw light on this subject as far as possible.

Pandit Malaviya represented that it would be impossible to carry on the debate properly without this information beforehand.

Sir George Rainy, after consulting Sir George Schuster, replied that it was true that the original proposal was for a 15 centum revenue duty and an additional protective duty of 3½ annas per pound on all plain grey goods, but added that when those proposals were made no final decision had been arrived at.

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probability that such an addition to the duty would be likely to raise the price of goods in India itself to the great detriment of the poorer classes generally in that country; and, secondly, that such an addition to duty would have a disastrous effect which the Cabinet feels sure that you and your Legislature do not desire to create. From both points of view, the Cabinet views with the gravest apprehension the proposed addition to duty and hopes that full weight will be given to the above considerations.

*From Viceroy to the Secretary of State, dated the 12th February.*—Your telegram of the 8th inst. I have discussed with my Council the Cabinet representation and we are deeply impressed by a message of this nature. Nevertheless, we feel bound to adhere to our main proposals. It must be remembered, first, that we want revenue; secondly, that customs is our chief source; thirdly, that general revenue tariff stands at 15 per cent, while the duty on cotton piece-goods is only 11 per cent; fourthly, that the Indian industry is suffering from a deep depression and that as regards Bombay, the mills are approaching a desperate position which may affect the whole future of this important centre of Indian commerce and finance. Moreover, in a year like the present, when we have imposed heavy new taxation, we could not for revenue purposes leave cotton duties alone. As regards raising of the cost to the consumer, we believe that in those goods where external competition is chiefly felt, namely plain grey shirtings and light sheetings and cheaper coloured goods, internal competition will in any case keep the prices down. As regards bleached goods and finer qualities of grey and coloured goods which Lancashire mainly supplies a four percent increase in price cannot be represented as a crushing burden.

As regards the second point in the Cabinet representation, the danger to British interests, we recognize that a possible decline in consumption of Lancashire goods may be a serious matter but we are clearly bound to put India's interests first. We also recognise how important it is to India not to antagonize British opinion and quite apart from this we are of course concerned at this time to avoid unnecessary injury to British interests. We have carefully considered what we could do in this respect and while we cannot modify the general application of 15 per cent revenue duty, we are prepared to propose to the Assembly that as regards any additional and temporary protective measures their application might be limited to non-British goods and that in these circumstances there should be imposed in addition to the 15 per cent revenue duty a 5 per cent protective duty with a minimum of 3½ annas per pound on plain grey goods against all cotton piecegoods from outside the United Kingdom. We should propose the protective duty for three years only and undertake to have its effects examined by the Tariff Board before the end of this period. We think it unlikely, having regard to the immense preponderance of British imports in classes of bleached goods, that the additional duty would have any appreciable effect on the prices.

In placing our proposals before the Assembly we shall point out that so far as we are aware this is the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and we are impressed with the significance of the precedent so established. We cannot ask the Assembly to commit themselves to imperial preference as a principle but merely to adopt a particular course which in our judgment is consistent with India's interests at a critical juncture when much may depend on the Indian response to the British Government's appeal. We shall have to make it plain to the Assembly that while



*Pandit Malaviya* regretted that Sir George Schuster's speech did not make it as clear as the Government of India's telegram to the British Government that they desired to elicit a most free expression of opinion in the Legislature, with whom the final decision must rest. Then again *Pandit Malaviya*, while commending the British Government's attitude in the matter, deplored that the Government of India had given up their original position as a result of the British Cabinet's appeal and, of their accord, had proposed imperial preference. He said—'We have no unfriendly intentions towards Lancashire. We wish them prosperity but this should be obtained by fair means, without detriment to the country's interest (Cheers). The Government of India cannot conceal the fact that they have modified the original proposal to help Lancashire. This has been a most unwise step particularly at this juncture. Such a question for preference should have been left unfettered to the vote entirely of the elected House of the future and should not have been brought before this House, where the Government has set votes and is in a position to exercise the power of patronage. "The Government in the past did nothing for the cotton mills and exposed it to Japanese competition. By the exchange ratio of 1s 6d the Government of India have placed us in an awkward position. I should not like to annoy British opinion. At the same time such a Bill as this will furnish a strong argument to those who desire complete independence to declare that the economic and commercial interests of India will not receive due consideration at the hands of the Government of India. Moreover under the proposals you will give the entire monopoly of the market to Lancashire and it will be difficult afterwards to displace it. Therefore, *Pandit Malaviya* suggested that Government should accept his suggestion of a uniform 15 centum revenue duty or 3 half annas per pound, whichever is higher. This would give substantial protection to Lancashire because of its fine count of cloth which would come under 15 per cent duty only while the other countries would mostly pay at 3 half annas per pound and would thus help Lancashire without introducing a statutory discrimination against Japan or any other country. We have no quarrel with Japan. Our country's trade will be free to all without discrimination against any.'

*Sir George Schuster* thanked *Pandit Malaviya* for the moderate tone of his speech but said that it was difficult to tell the House of all the confidential correspondence which had taken place. He wished *Pandit Malaviya* had been the keeper of his conscience for he had nothing to be ashamed of. While India's interest had come first, he had been anxious not to antagonise the feeling in England against India at this crisis. There was also the fact that more revenue was needed and the Government was also anxious to find a special protective measure which would not place too heavy a burden on the consumer. It was true that their original proposal did include 3 half annas per pound on all plain grey goods irrespective of the country of origin, but to say that was not telling the whole story. For when they came to examine the position in the practical way and consider how they could make a distinction they found that as a matter of fact a distinction between British and non-British goods did fit in with the situation. In their preliminary discussion of this subject they felt shy of this proposal because they were influenced by the consideration that it might be liable to political misinterpretation. So for the time being they gave up that plan. They came to discuss 3 half annas specific duty on plain grey goods, but felt that that perhaps was not sufficient and it was at this stage that the Government of India was addressed by His Majesty's Government a fact which had a considerable influence

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there are grounds for treating plain grey goods exceptionally we do not in any circumstances agree at the present stage and for the emergency purpose which we have in view to an additional protective duty of five per cent on all classes of piece-goods irrespective of the country of origin, since the immediate benefit to the Indian producer would be wholly incommensurate with the burden imposed on the Indian consumer. We desire also to make it clear that in a matter of this kind after frankly stating our case we should desire to elicit a most free expression of opinion from the Legislature with whom the final decision must rest.

*From the Secretary of State to the Viceroy, dated the 19th. February:—*The Cabinet has received your telegram and recognising the position of India under the Tariff Autonomy convention is precluded from offering any further comments on your proposals.

on them. Then they thought that perhaps it was best to go back to the original plan and risk a political misunderstanding and place all facts before the Assembly. The Government on one side did reach a definite conclusion that on the top of 15 per cent revenue duty, they should at least as part of the scheme put 3 half annas specific duty on all plain grey goods and on the other was the plan now put before the House which they felt went much further to meet the needs of the situation than any other plan they could think of. It was for the Assembly to decide whether the plan thus placed met the needs of the situation and would be better from the point of view of the interests they were trying to further than mere 15 per. cent with 3 half annas duty on plain grey goods. In practice all the Dominions had introduced the system of Tariffs which did give a very substantial preference to British goods. In Australia the difference between general and preferential tariff was 15 per cent., in Canada it was between 7 and 10 per cent., in New Zealand it was 15 per cent. Concluding the Finance Member said that the Government of India's proposal included the principle of differential tariffs, but it was necessary to meet the needs of the situation and was in the interests of India.

*Mr. H. P. Mody*, the millowners' representative, put up a spirited defence. He said that the Government's failure to put Sir Frank Noyce's report into effect proved disastrous. The Japanese competition was more intense, so that during the last 5 years the Japanese imports have increased from 217 millions yards to 550 millions. This competition was helped by the unfair labour conditions, for Sir George Rainy could not deny that under the Washington Convention Japan could not work the two shifts which she was working. The Bombay industry on the other hand had lost ten crores of rupees during the last five years. The much maligned managing agencies of Bombay had suffered to the extent of no less than 18 lakhs of rupees by way of commission and 85 lakhs in the capital invested in the various concerns and had invested two crores of rupees further to help the industry. As for reorganization no less than Rs. 75,00,000 were invested for new equipment in Bombay and the mills which were a deadweight to the industry had been put into liquidation. The position in other centres was not more cheerful. In the O. P. seven mills, excepting Tatas, had lost Rs. 16,00,000 in the five years. The Madras mills were yielding in 1928 less than 3 per cent profit. The Ahmedabad mills did not yield more than four centum net profit. In Bengal, 7 mills lost 32 crores of rupees during three years. The result of this was that in last May a millowners' deputation waited on the Viceroy and urged a 20 centum all round duty with a minimum of three and a half annas per pound. Mr Hardy who was appointed to investigate produced a convincing report. It was now that the help had come.

Referring to the bill, he said: 'We have not obtained all we asked for, but the proposals before the House are calculated to arrest the decline in our fortune and give us breathing time to carry on complete reorganization whereon we are engaged already. We are faced with the difficulty that the market is flooded with foreign consignments which would deprive us of the protective advantage for six months and then 18 months after the Tariff Board would pounce upon us to know exactly what we have done.'

Mr. Mody complimented Sir George Rainy and Sir George Schuster on their efforts and alluded that the House was placed on the horns of a dilemma. To those who took a sentimental view against imperial preference and were opposed to it, he said: 'Imperial preference may be a mysterious thing, but like every economic issue imperial preference means reciprocity benefits. If there is reciprocity there should be no opposition. Moreover the present proposals were merely of a nature to meet the grave position. I have an admiration for the efficiency and organization of the Japanese manufacturer, but the fact remains that their competition was killing the industry. However friendly we be with another nation, we cannot allow it to kill an indigenous industry. May I ask: Would, under similar circumstances, the Japanese Government have cogitated for five years? No. It would have given a short, sharp shrift and protected its industry. Similarly, I expect that if Government finds Lancashire displacing Japan at the end of three years the Government would protect us against Lancashire.'

Continuing Mr. Mody emphasized Bombay's importance as an income-tax payer. Whereas the Government of India realized from Bombay 4 half crores, she now got less than two crores in income-tax and the supertax had fallen from 2¼ crores to less than 5 lakhs. 'The point is: will sentiment be allowed to prevail?'

After Dewan Chaman Lal had spoken the house adjourned till the 17th.

## EXCISE DUTY ON SILVER.

17th. MARCH.—Sir George Schuster introduced the bill for an excise duty on silver, after the Finance Member had explained that the Indian Finance Bill which was introduced on Feb. 28 included a proposal for the levy of a customs duty of four annas per ounce on silver bullion and coin. If that proposal was accepted the effect would be to raise the internal price of silver which would give a corresponding bounty to the local producers of silver on so much of their output as was sold in India. That could be neglected when there was an import duty on silver bullion before, since the production of silver in India was then very small but the position now was entirely different and one concern in Burma had an output of six to seven million ounces a year. It was, therefore, proposed to impose a countervailing excise duty on the silver produced in India, power being taken to exempt any silver produced in India and exported out of India.

## The Tariff Bill

Nearly the whole sitting was devoted to further debate on the motion to take into consideration the Tariff Bill, but votes could not be taken as numerous speakers still wished to participate in the debate.

Dewan Chaman Lal's incitement was against the millowners' inefficiency and he held that no case had been made out for protection. Mr. Ghuznavi contended that on the pretext of protecting the Indian Industry, Japan was being penalised to benefit Lancashire.

Dr. Hyder said that they must check Japan's ambition to expand at the expense of India the other parts of the British Empire. Sir Darcy Lindsay warned India against the danger of a peaceful penetration by Japan and held that the one object of the Bill was to keep out the strangers and endeavour thereby to assist the National industry.

Mr. Jayakar wished that the Bill had been in force for a year to enable England's honesty being tested. He regretted the bartering away of the great economic asset in the consuming capacity of India's 330 millions by small advantages here and there.

Mr. Chetty said that the danger to India was from Japan and the element of British preference in the scheme did not affect the Indian industry. He would not barter away economic rights for political gifts. Mr. Acharya pleaded that facts were wanting to prove the urgency of the measure. The House at this stage adjourned.

## The Finance Bill.

18th. MARCH.—The Assembly was engaged on this day in the discussion over the motion of Sir George Schuster for the consideration of the Finance Bill.

Sir George Schuster announced his readiness to accept Sir Purushotamdas Thakurdas's amendment at a later stage for imposing a 38 per cent ad valorem import duty on silverwares and silver thread.

Sir Purushotamdas attacked the Government's salt monopoly and suggested an interim report by the Tariff Board. Mr. Kelkar urged that the House should refuse to take the Bill into consideration before the redress of grievances. Mr. Nilkanta Das attacked the Government in connection with the Tata steel industry and the B. N. Railway management while Mr. Thakurdas Bhargava endorsed Mr. Kelkar's views.

19th. MARCH.—Mr. M. Prakasam attacked the Government policy in various directions, such as illiteracy of the masses, failure to protect the sugar industry in spite of the Sugar Committee's recommendations and needless increase in the super-tax and the income-tax when the expenditure could be curtailed. Mr. Prakasam laid stress on the iniquity of the salt laws and said that though he had practised law for several years he did not know the position in regard to the salt laws until Mahatma Gandhi's movement made him study the point. Salt was an article which could be manufactured without cost or much labour by the poor, but the Government had installed a system of monopoly by imposing an unholy tax. He said: 'Whatever my differences with the Mahatma or the Congress it is the duty of every patriotic Indian to break the laws which were oppressive and unholy. Here you run your salt laws in a manner that even people having a free-holding interest in the land where salt can be manufactured are not allowed on payment of the duty to sell their own salt, but their salt too is brought to the Government store platform which is fenced and guarded, where such salt is weighed and sold and the money paid to the treasury. This Government policy is one of terrorism and the Government persisted to levy this salt tax, even when the Assembly reduced it, by certifying it.'

*Mr. Birla* welcomed the increased duty on sugar, but felt that the interests of the consumer had not been protected. He also felt that with the same duty at least two industries could have been protected. Although welcoming the increased duty on kerosene, the speaker held that the import and excise duties should have been equalised. With their huge dividends and non-Indian capital and management, industry needed no protection and the speaker urged that the excise and import duties be equalised in the next budget. This, he said, would help the consumer and bring in more revenues to the State. Protection, he said, was the philosophy of bread, and should only be granted when it really benefitted the country and not foreign investors. On that principle they had supported the Coastal Reservation Bill. In all other cases the interests of the consumer should be kept in the forefront. *Mr. Birla* strongly opposed the import duty on silver. What they had been objecting to, he said, was the Government policy of huge sales of silver which by depreciating the value of silver had adversely affected the savings of the masses. *Mr. Birla* felt that the Finance Member had unintentionally misled the house by stating that the fall in the silver prices was due to heavy sales by China and Indo-China. The speaker showed by figures, that China had been buying silver and with the production remaining stationary it was only the sales of the Indian Government which had lowered the prices and thereby affected the savings of the masses of the country.

*Sir George Schuster*, intervening, said the statement was to the effect that the recent fall in prices had been mainly due to the sales of silver by the holders in China and Indo-China and according to his information China had actually sold 50,000,000 ounces during the last three months as compared with the total sales of 67,000,000 ounces by the Government of India in the three and a half years. China, he said, had imported during the last two years more silver than her average consumption in the previous five years. As regards the recent fall in the prices of silver his information was that one of the largest contributory factors was the position in China—first, the knowledge that very large stocks of silver far in excess of the normal position were held in Shanghai; and secondly, large operations in the market by the Chinese interest. The house, he said, was perfectly aware that the influences that affected the prices of silver were not necessarily physical transfers of actual silver, but the operations in the market. The members knew perfectly well that the prices were fixed very largely by the transactions from day to day in the London market. In spite of the fact that China was keeping say 130,000,000 ounces of silver in stocks physically in Shanghai or anywhere else, one could go in the London market and sell 200,000,000 ounces forward and smash the prices without getting an ounce of silver from Shanghai or any other place in China. He said, 'I was acting on the information I received from London and I maintain that the information which I gave was perfectly correct. I do not wish to withdraw a word of it.'

*Sir Purshotamdas Thakurdas*—Perhaps, it would help the member (*Mr. Birla*) if I suggest to him that the difference between what he is pleading and what the Finance Member is trying to explain is this. The Finance Member the other day gave the impression that the Government of China had sold silver, while *Mr. Birla* was trying to make out that the Government of China never sold. It is possible that speculators in China may have sold. The parallel between sales by Government and sales in China was not what the Finance Member was giving impression of. If that is what the member is trying to do, perhaps the Finance Member would agree with him.

*Mr. Birla* said that even the duty on silver had not helped the masses as the world prices had fallen to the extent of the duty.

Resuming *Mr. Birla* said that the reason given for selling silver was to earn interest by converting it into gold securities. But he asked how was it then that before the selling of silver the Government sterling securities stood on the 31st March, 1926, at 29 crores and on the 22nd February, 1930, at two crores ninety-four lakhs. Thus while the value of silver depreciated it had not been replaced by gold securities. The fact was that *Sir George Schuster* had been selling silver to put the Secretary of State in funds and contract money against which he protested. Silver was consumed by the poor and should never be taxed except as the last resort.

*Mr. Birla* concluding said that *Sir Purshotamdas Thakurdas* had congratulated *Sir George Schuster* for showing a distinct change in attitude compared with the past by accepting some non-officials' suggestions, but *Mr. Birla* held that the acceptance of a comma here or a semi-colon there was poor consolation when they found that

imperial preference, which even Lord Curzon's Government in 1903 declined to accept, was being forced on the country because the Government had a majority in the house, although they realized that the country was against it. Mr Birla could not feel as enthusiastic as Sir Purnotamdas Thakurdas about offering congratulations to Sir George Schuster. The speaker said he had a measure of satisfaction at the Finance Member's work, but the measure of dissatisfaction was greater than the satisfaction. He was really convinced that he could not get unalloyed justice from the Government of India under the present system and the only solution was full Dominion Status.

*Col. Guiney* accused the Government of retrenchment in the wrong direction. The Railway staff was under-paid and the staff of the Telegraph department was discontented. On the other hand the overhead charges had been kept on an enormous scale. He deplored the unfair treatment of the subordinate officers of the medical services in the Army Department and condemned the niggardly treatment of medical men employed by the Railway Board. Referring to the educational policy of the Government, Col. Guiney vigorously urged the abolition of the senior Cambridge examination which put an extra strain on European and Anglo-Indian boys. He affirmed that the system of education in the European schools was the main factor which served to alienate the Anglo-Indians and domiciled Europeans from Indians and advised the Government to impart education to Europeans, Anglo-Indians and Indians in the same schools and under a similar system and make them swim together. Col. Guiney in conclusion suggested various measures of economy particularly in the Army estimates.

*Dr. Moonje* had no hope from the British Government till the latter was infused with the spiritual force. The Commonwealth of India, he said, would be a fusion of spiritual and material forces and the attainment of that object would be his life's work in the Assembly. To-day the Government of India, he said, was a soulless body, heartlessly extravagant and thoughtlessly obstructive. The military budget was one aspect of their extravagance. Quoting from the late Lord Rawlinson, the speaker said that at least for six years during the war and the post-war period, India had 2,000 army officers in excess of the expenditure. And still the Government pleaded want of funds as an excuse for not starting an Indian Sandhurst. 'In this era of mutual trust, which began from the great war, the Government could reduce the British troops. He urged the necessity of compulsory military training and rifle drill for boys of 10 and 20 years as a security measure against the frontiers. Referring to aviation, the speaker urged that the Government should have civil aviation and the Air Force inter-dependent on each other, which would provide them with Indian officers in the Air Force.

**20th MARCH;**—Resuming the discussion on this day Dr. Moonje attacked the army department for not fulfilling its obligations in providing sufficient scope to the Indian youths for military training. Comparing the programme of the Indian Government with those of Japan and Germany, the speaker showed how insufficient had been the efforts of the Indian Government in that direction. He charged the Government with wilfully obstructing India's progress.

At this stage Sir George Schuster, intervening, said that while the Government had no desire to restrict the discussion on the second reading of the Finance Bill for the last two days, they should now proceed with the consideration of the bill clause by clause. He suggested the Chair putting the question to the house, but not in the form of the closure.

The President said he understood that there were several members who were still desirous of speaking, but he would accept the Government's request and put the motion under sub-order 121, standing order 34, that the house should proceed with the third reading of the Finance Bill. The President reminded the members that they would have ample opportunity to express their views on the different clauses of the bill. The question was put to the house and agreed to. The House then proceeded to the discussion of the bill clause by clause.

#### The Salt Duty

Pandit Thakurdas Bhargava moved for the abolition of the salt duty which he characterised as the worst imposition on the poor people.

Mr. Aney, supporting the amendment, referred to Mahatma Gandhi's campaign against the salt tax and pleaded for the abolition of duty which he said would create a favourable atmosphere for the Round Table Conference. He wanted the Govern-

ment to declare that they were out for the abolition of the duty and make a beginning this year. The amendment was rejected.

Mr. Nilkanth Das then moved an amendment the effect of which would be that the Government would remain dealers in salt but the manufacture of salt would be free.

Sir George Schuster pointed out that the Government in response to the wishes of the House had decided to refer the whole question to the Tariff Board and the House should wait for the report of the Board before taking action.

Mr. Aney asked whether the question of duty would also be referred to the board.

Sir George Schuster explained that the Board would not only be asked to enquire about the production of salt but also about the monopoly and prices. What the Government intended to do was to provide the masses with the best eatable salt at as low a price as though the salt tax had been abolished.

Mr. Nilkanth Das next moved an amendment which empowered the Government to remit the duty on Indian salt.

Sir George Schuster opposing said that the effect of the amendment would be the abolition of the salt duty but if the intention of the mover was to give protection to Indian salt by the retention of duty on imported salt he would say that that was precisely the object of the Government in referring the matter to the Tariff Board. The amendment was rejected.

Mr. Amarnath Dutta, moving the reduction of duty to eight annas, said that in spite of the faults he still loved England and on that ground he urged for the reduction of the duty.

Sir Purushottamdas Thakurdas urged that if they wanted good and cheap salt for the masses they would wait for the report of the Tariff Board. He also appealed to the Government to deal with the report promptly and by the time of the next budget come out with a scheme providing good and cheap salt.

Sir George Schuster said that he would readily give the assurance asked for.

The amendment was rejected, so also was the next amendment of Mr. Amarnath Dutta for the reduction of duty to 12 annas.

He then moved the third amendment to reduce the duty to rupee one.

Mr. Abdullah Haroon, supporting the amendment, felt that the Government had under-estimated the returns from imports of sugar and the loss by the reduction of the salt duty would be compensated by the revenues from the enhanced duty on sugar. Sir George Schuster felt that the Government estimates of sugar returns were accurate because he said last year the imports were exceptionally bumper and the increased duty was bound to check the imports and increase local production.

The amendment was rejected by 53 votes to 32 and clause 3 fixing the salt duty at Rs. 1-4 was passed.

#### INCOME OF JOINT FAMILIES

An interesting discussion followed on the amendment of Mr. Bhargava by which the income of individual members of undivided Hindu families should be taxed separately instead of the tax being levied on their aggregate income. The mover, however, withdrew the amendment on the assurance of Sir B. L. Mitter that if some one brought in a Bill to give effect to the amendment he would examine the same and see how far he could meet the wishes of the House.

#### EXCISE DUTY ON KEROSENE

Mr. Aney next moved for the abolition of the excise duty on Kerosene. He was supported by Mr. Lamb on the ground that the excise duty was a burden on the consumer and effected the small oil companies adversely. Mr. Aney, however, withdrew the amendment when Mr. Birla told him that it was the greatest condemnation of the amendment that it had been supported by Mr. Lamb.

Sirdar Gulab Singh next moved for the reduction of the excise duty on kerosene to 15 pies. Sir Darcy Lindsay supported the amendment as he felt that it was in the best public interest. The amendment, he said, would provide sufficient revenues for the Government without effecting the prices of oil.

The discussion was not finished when the House rose for the day.

**21st. MARCH:**—Sir Purshottamdas Thakurdas in a fighting speech repudiated the suggestion of Mr. Lamb that Mr. Birla was supporting the increase in the excise duty as he himself was doing in oil import business. Referring to a telegram sent abroad by oil producers in India that Mr. Birla was selling imported kerosene in the name of Gandhi Oil, thereby creating political antagonism, he said that such tactics

were unworthy of Europeans in India. Sri Purshottamdas said that Mr. Bula, in spite of the fact that he was interested in the cotton industry, was opposed to the Government's protective duty. Indian industrial magnets came to the House in their own right while the Europeans, as hucksters and glorified clerks, were serving the interests of their masters at home.

Sir Darcy Lindsay protested against the remark and said that he had his own independent business and had been in the country for over thirty years serving India to the best of his ability.

Sri Purshottamdas said that his remark had no reference to Sir Darcy Lindsay for whom he had great respect. But he urged Mr. Lamb to withdraw his insinuation against Mr. Bula.

Mr. Lamb: I made no insinuations against Mr. Bula and if Mr. Bula took objection to any of my statements he could have spoken for himself.

*Sir George Rainy* at the outset paid an eloquent tribute to the services rendered by Sri Padamji Ginwala, President of the Tariff Board. He said that none knew Sir Padamji better than himself and he always admired his judgment and the thoroughness with which he carried out his work. He strongly rebuked Mr. Moore for his statement that the minority report of the President of the Tariff Board on oil was a tissue of contradictions. The fact that the Government had accepted the findings of the majority did not make the minority report the less valuable. Proceeding, the Commerce Member said that he was surprised to hear that an industry which had enjoyed certain benefits for a quarter of a century should continue to do so. Charges had been levelled against the Government, and specially against the Commerce Department, of thwarting the growth of the oil industry in India because they did not accept the findings of the Tariff Board and because they lowered the import duty and enhanced the excise duty on kerosene. Sri George said that if by the charge it was meant that the Commerce Department had any reason for desiring anything but the success of Indian industries and if by it was meant that his department bore any grudge against any particular industry, he would naturally repudiate the charge, but if, on the other hand, by the charge it was meant that he had refused to apply one weight and measure to a new industry, usually Indian, applying for protection and a different weight and measure, more generous in this case, to an old industry not so much Indian, then he accepted the charge. Continuing Sri George Rainy dealt at length with the rates charged by the pool. He said that there were reasons to believe that large profits resulted from the difference between the customs and the excise duty. He could not therefore understand why it was argued that the oil companies should continue to enjoy indefinitely the benefit of this difference between the two duties. It would be a remarkable position, however, if the reduction of customs duty was likely to be followed by an increase in prices. He was not prepared to admit, unless the facts pointed the other way, that they were justified in assuming as a matter of course, contrary to the economic laws, that a reduction in customs duty was likely to be accompanied by an increase in prices. As for those who argued that under the proposed scheme there is danger to the similar companies, Government found that on one side it was argued that there was going to be an increase in prices and if so the smaller companies would have no danger, on the other hand, if they were seriously affected, then the consumer would not suffer. He asked the Opposition to choose one of these and not to have it both ways. Concluding, Sir George Rainy referred to the statement that Rs. 15,00,000 had been put in the pocket of the Standard Oil Company, but if they had looked at the import figure they would have known that the Standard Oil Company controlled little over half the total of the oil imported, which brought the Rs. 15,00,000 to Rs. 7,50,000. He declared that these matters would not be disposed of by hasty criticism and urged the value of a serious study of such matters before charges were made. He hoped he had convinced the House of the Government's desire to do justice to all.

Sardar Gulab Singh's amendment was put to the vote. A division took place, 117 supporting the amendment including ten Europeans and 62 voting against it. A large number of Nationalists remained neutral.

The House then passed this and other clauses of the Finance Bill without discussion and then took up the schedules of the Bill after which it adjourned.

#### Silver Duty

**22nd. MARCH**—The House resumed the discussion on the Finance Bill and took up the consideration of the amendments.

Mr. Fazal Rahimtoola was against the imposition of the silver duty

*Pandit Hirdaynath Kunzru* supporting the amendment said that the Government had recently appointed retrenchment officers and were exploring avenues of economy. Under those circumstances it was best to leave the Finance Member with a small deficit so that he might effect economy. The speaker did not think that the imposition of a duty would stabilize the prices of silver which were governed by the international market. The only effect would be that the masses in India would have to pay higher prices for silver to the extent of the duty.

At this stage, Sir George Schuster pointed out that the effect of the amendment if carried would be that in accordance with items 1 and 2 of schedule 1, the duty on silver would be 15 per cent. ad valorem. He without curtailing the discussion wanted the Chair to have that point in mind specially when the object of the amendment was against the imposition of the duty.

Sir Purushotamdas Thakurdas suggested that the Chair might put every item of the schedule separately to vote, to which both Sir George Schuster and the President agreed.

*Sir Purushotamdas*, supporting the amendment, discussed the whole question from the points whether the proposal was desirable and whether it would achieve the object of further preventing the depreciation of silver. As regards the desirability of the imposition of the duty, he said that the best method would have been to call a conference of representatives of silver producing interests with a view to regulate the marketing of silver, but as, according to the Finance Member, it was not feasible he would only discuss the question whether the proposal would prevent further depreciation of silver and in that much would benefit the masses of the country. He admitted that the proposal before the House was more thorough than that of some years ago, as a greater part of the objection had been met by the Government imposing an excise duty on locally produced silver and the proposal to refund duty on exports. But he did not see how the Government were going to deal with exports and imports of silver through the Indian borders which was bound to result in considerable leakage of revenues. Proceeding, the speaker asked if silver was to be dethroned from the exalted position of store of values and was to remain a mere commodity in future, what other substitute there was for the masses to invest their savings in? He acknowledged the efforts of the Finance member to provide greater facilities for banking in the country, but till that was done how were poor people going to do their banking and invest their money? Gold, he said, was the only possible substitute but old-established custom and higher values, which were much beyond the reach of the poor people, stood in the way. On that ground he said it would be not desirable to tax silver which would be taxing the savings of the poor masses in India.

*Mr. Chetty* also supported the amendment and felt that the duty was undesirable till the Government had definitely announced their intention of adoption of gold standard. He opposed the duty if it was only for purposes of showing a surplus budget and improving India's credit. Continuing, Mr. Chetty showed that the whole policy of the Government in regard to silver did not encourage the belief among the masses that the Government did not treat it as a precious metal. Mr. Chetty warned against the danger of trying to revert to the system of the doler which would cause enormous complications in the basis of distribution between the various provinces. On the other hand, the best remedy was the transfer to the provinces of the flexible sources of revenue.

*Sir George Schuster* replied at length. Perhaps he realized that the vote on the amendment might determine the fate of the whole bill. He said that Pandit Hirdaynath Kunzru had suggested that he might close the year with a deficit. He assured the House that the surplus of Rs. 70 lakhs he wanted was not a real surplus but in the nature of insurance against various elements of uncertainty. Every penny he wanted represented the actual needs of the situation and not a possibility for the future. Their estimates were not under-marked but might turn out optimistic. Dealing with the question of silver he said that they were not attempting permanently to maintain the internal values but tried by a measure of moderation to improve the value of the investment of the great masses in India. The Bombay quotations showed that their measure had already had the desired effect.

Sir George Schuster said that they had already invited the world to consider a combination of silver producing interests, but he would not deceive the House by suggesting that such an arrangement was likely to be effective. Sir George



Schuster assured Sir Purshotamdas that the question of imports and exports of silver through the frontiers was being considered.

Sir Purshotamdas: Will the Government carry this measure through without anticipating and providing for that difficulty? A 20 per cent difference is a great temptation.

Sir George Schuster: The Bill has not yet been passed. The matter will be dealt with in a business-like way. The various frontiers present varying problems. I promise effective measures.

Continuing, Sir George Schuster said that the situation was different from 1921. He looked upon the present duty as greatly improving the value of the existing savings, though it imposed obstacles upon the poor man investing more money in silver. Sir Purshotamdas had referred to an alternative form of precious metal investment, but the problem was how to divert the savings from precious metals to productive employment. The post office savings certificates were one form of investment and a great deal still could be done by lowering their denominations to make them popular among the masses.

Turning to Mr Chetty's remarks, Sir G. Schuster said that Mr. Chetty was probably right in saying that the speaker's main object in the financial proposals was to improve the credit of the country and the improvement of the value of the masses' investment was subsidiary. But Mr Chetty, on the other hand, had accused the Government of keeping 100 crores of silver in the paper currency reserve, thus keeping more silver than was needed. There were other critics who wished the Government to remedy the situation by other measures than the sale of silver.

Sir George Schuster said he would be prepared to give full weight to non-official representatives in the country and associations discussing the matter with him but they must not lose sight of the fact that the Government had silver in excess of its requirements and India was one of the largest consuming markets of silver. Now they were told that India should be self-supporting in the matter of salt and other industries. He was therefore surprised when the Government's desire to sell silver in its own market which should have been welcomed, was criticised by some as robbery. He emphasised that the Government had no other object except public interest and their policy had been justified by the results.

Turning to the argument that though silver was sold, gold securities had not increased, Sir George Schuster admitted that the sales mostly went to finance the Secretary of State but maintained, whether they liked this policy or not, the fact was that forty millions of capital expenditure had been financed without corresponding sterling borrowing and all this came mostly out of the proceeds of sale of silver. Thus silver had been sold at good price and to-day its proceeds spent on locomotives and rails were earning good interest. Therefore there had been no deterioration in the economic position of the country, rather the economic position had been strengthened. All they could argue was that possibly paper currency reserves had been weakened. He next declared that he could not give any pledge that hereafter there would be no sales of silver or there would be no sales below a certain price level such as 22s. Such an undertaking would be dangerous but past conduct would show that the Government whenever they sold silver did so with discretion and it gave him the right to ask for public confidence as to the Government's policy in this matter.

Continuing, Sir George Schuster pleaded that these financial measures were urgently needed. He would require money to redeem a number of pledges he had given for the reduction of duties. For instance, the proposed reduction of export duty on rice would not be possible without further revenue and the income-tax reform to which he stood committed for allowing losses of one year to be carried forward to another year, could not be carried out without funds, because it would involve a substantial loss. Then again they were being urged to devote the whole sugar duty proceeds to the sugar industry. Moreover, though every penny he wanted would be needed immediately there was the important question of having funds to inaugurate the reforms. He did not wish to be drawn into the constitutional discussion of how the difficulty of distributing the central agency funds to the provinces would be settled in the Simon report. Mr. Layton's note would fully advise them on the subject. He assured the House that his pledge about retrenchment would be fulfilled and asked the House to show any single promise he had made which had not been carried out.

Sir George Schuster mentioned that the Government of India securities in London had improved from 58 on March 1 to 75½ and 77½. (Cheers). This was

due to the strong financial proposals in the budget. He warned the House against giving the impression that they were not out to take every possible step to maintain their financial position. Concluding, he appealed to the House to trust his judgment and take advantage of the tide and lay the foundation for an advance on constructive lines which the country so much needed.

Mr. Fazal Rahimtoolla's amendment was rejected by 56 votes against 43.

#### Cotton Duty

Mr. S. C. Dutt next moved an amendment which sought the retention of 11 per cent duty on cotton goods instead of 15 per cent now proposed. Mr. Dutt felt that cotton goods were a necessity of life and should not be taxed. He also felt that the proposal should have been incorporated in Cotton Goods Protection Bill, for its inclusion in the Finance Bill would make the protection of Indian mills permanent. The amendment was lost.

#### Export Duty on Rice

Pandit Nilkanth Das next moved for the abolition of export duty on rice on the ground that food stuffs should be untaxed.

Sir George Rainy, replying, said that the question of setting up a rice grading and marketing board was in the mind of the Government but he felt that the quality of rice could be improved through the imposition of a small cess. Sir George Rainy did not think that the question of regulating the export and import of food-stuffs was unimportant but said that under normal conditions specially of transport the Government did not see any difficulty.

The amendment was lost by 44 votes to 16.

#### Quarter Anna Postage

Messrs. Amarnath Dutt and S. C. Dutt next moved for quarter anna postage but both the amendments were rejected after Sir B. N. Mitra had explained to the House that his policy had been to make the department self-supporting and not run on the lines of charity. Further, in the interests of efficiency, the service conditions specially of the lower staff had to be improved resulting in extra expenditure. Lastly the policy of extension of postal facilities had been carried out faithfully during the last five years. The effect of the amendment would be a loss of Rs. 70,00,000 to the Government.

#### 38 p. c Duty on Silver Wire and Thread.

Thereafter the House adopted Sir Purushotamdas Thakurdas's amendment relating to a 38 per cent ad valorem duty on silver wire and silver thread without a debate. All amendments having been disposed of, the President suggested that the third reading might also be finished.

Mr. Kunzru : This is fast end of the day, Sir, it being 7-80.

President Patel thereupon adjourned the House till Monday.

**24th. MARCH :—**The President called upon the Finance Member to move the third reading of the Finance Bill which he did without a speech.

The President proceeded immediately to put the motion to vote when a number of Swarajists rose and wished to oppose the measure.

Mr. Kartar Singh started the opposition of the Bill and asked the House to throw it out.

Mr. K. C. Roy supporting the Bill, felt that no impatience should be shown in the passing of the measure which was the biggest enactment of supplies to the Government. The House of Commons, he said, took several weeks and often months to pass the Bill. The speaker felt that the advantages of discussion had been shown by the fact that the amendment regarding silver, thread and wires had been adopted by the Government and the proposal of Sir Hugh Cocks for the association of businessmen with the proposed retrenchment officer had been accepted by the Finance Member. Mr. Roy felt that an *ad hoc* committee of the House would have been a better method of advising the Government in regard to measures for effecting economy. He also held that there was no large room for economy in the civil administration which if stabilised at the present figure would be welcomed by the country. But the economy axe was needed mainly for the army budget and the speaker felt that unless the Government changed their policy not much could be expected from

committees. And in spite of repeated criticism by non-officials in the House, the Finance Member had given no indication in the matter of retrenchment in the Army expenditure.

Criticising the Government's Army policy, Mr. Roy referred to the statements of Sir Muhammad Habibullah before the last session of the League of Nations admitting that the last delegation could not be better represented. Sir Muhammad Habibullah did not put the country's view-point before the League when he said that having regard to the Frontier obligations the Government of India could not further reduce the Army although they were very anxious to fulfil international obligations. Mr. Roy said that although India should stress the need of reduction of the army at the League, the occasion should also be taken to press the point before the Imperial Conference in London. Mr. Roy suggested that a committee of the Imperial Conference should examine the whole question.

Referring to the Cotton Protection Bill and imperial preference, the urgency of giving relief to the Bombay mills, Mr. Roy suggested that fiscal and taxation questions should be examined by a committee of the Imperial Economic Conference.

Lastly, Mr. Roy referred to the Round Table Conference and charged the Govt. with neglect of canvassing opinion among Congressmen without whom the conference was foredoomed to failure. He felt that civil disobedience was not congenial to India and was bound to fizzle out and urged the Government to announce the date of the conference without further delay. A conference in April next year would be better suited to the country in view of the general election next autumn.

Mr. Lamb asked for an assurance from the Finance Member that when he got bumper returns he would abolish what remained of the export duty on rice. He also hoped that the central Government would agree to the proposal of a cess when it came from the Burma Government without delay. Mr. Lamb was not satisfied with the Government's explanation of its attitude towards the oil industry and wanted an assurance that the industry interests would be closely watched in the terms of the Government's resolution on the Tariff Board report.

Sir P. Thakurdas said that the only way to develop the country as contemplated by the Government was to make her self-supporting. All that required a change of policy. He suggested monetary assistance to the sugar manufacturers and cheaper and easier means of transport from the fields to the factories for raw sugar.

Mr. Aney said that the third reading of the Finance Bill provided the occasion for the annual national indictment of the bureaucracy and regretted that Pandit Malaviya who was the pioneer of this protest was absent owing to illness. He asked when only 40 crores out of the total revenue of 134 crores was votable by the House, how could the Government say it counted on the vote of the House. Therefore, the passing of the Finance Bill was a formality and its throwing out also became a formal duty of the Opposition. His party had decided not to support the Bill. Discussing the civil administration expenditure, Mr. Aney showed that since 1923-24 while the nation-building departments had Rs. 20 lakhs of the share of increase of revenue, other departments like the frontier, watched the political department and aviation consumed Rs. 60 lakhs. Here was strong case for retrenchment. Mr. Aney warned the Government that the present situation could not lead to a Round Table Conference and discredit the Government.

Sir George Schuster, replying to the debate, said that as commander of the Government forces he could assure the Opposition that their speeches had a considerable effect on the Government policy. Even the non-voted items were placed before the Standing Finance Committee for opinion. He assured the Muslim members that the question of progress during five years of the working of the present policy of representation in the services would be reviewed. He informed the European group that the appointment of a retrenchment officer was not an end of the matter, but that he was intended to analyse the reasons for the growth of the expenditure and thereafter the house would be consulted to decide the line of future action. Dealing with the question of the oil companies, he said there was a possibility that the change in the relative level of the import and excise duties might create some hardship and affect the finances of the smaller companies and wherever such companies thoroughly established a case for special assistance Government would give such assistance for which they had powers and did not require special legislation. Dealing with Mr. Anwarulazim's speech he said the intention to grant more funds to the provinces did not mean necessarily that the assistance would be in the form of doles, but the new taxes would make easier a decision on the question of distribution of the revenues. The speaker informed Mr. Roy that the proceeds of the duty

on silverware and thread would be only a lakh, while the silver excise duty was already taken account of in the budget calculations.

Sir George Schuster assured Chaudhri Mukhtar Singh that by instituting the economic advisory Council, the Central Agricultural Council and the Banking Enquiry Committee and by such other means they would work out an economic policy and he welcomed Chaudhri Mukhtar Singh's assistance. Mr. Aney's speech he said showed effective criticism of the growth of expenditure.

Finally Sir George Schuster said that while it was a great deal under the present conditions to ask for five crores of taxation its incidence was so balanced as not to be felt. Silver and sugar under the duties would still be available at rates lower than a year ago, while income-tax's only merit was to roping the wealthier classes for the sake of balancing the budget. Concluding he said, 'I remain quite unshaken in the grounds I put up. Give me a chance, pass these taxes and see what comes out of it' (Prolonged applause).

The motion that the Finance Bill be passed was put to vote and carried without division. The house then adjourned.

### The Tariff Bill

**25th MARCH.**—The discussion on the Tariff Bill was resumed on this day. Mr. Birla said that except Bombay the whole Indian mercantile community was at his back and with faith in the justice of his cause he opposed the Bill. He also regretted his differences on the matter with Sir Pushotamdas, but felt sure that Sir Pushotamdas's head and heart were with him although his vote was against him.

Analysing the case for protection, Mr. Birla said that India annually consumed 3,600,000,000 yards of cloth, of which 1,900,000,000 yards was imported from abroad. The country on the other hand produced 2,700,000,000 yards every year, which meant that only 900,000,000 yards were required by the country from abroad. The question was whether this measure of protection would restrict foreign imports.

Further developing this point, Mr. Birla said that two-thirds of the 1,900,000,000 yards was imported from the United Kingdom which under the proposal would not be taxed. Mr. Birla said that the success of the whole scheme depended on the adequacy of protection and if protection was inadequate the industry would be a constant drag on the country and the consumer's money would go to waste. Having left out two-thirds of the total imports untaxed, the protection of the industry would be inadequate.

Examining the case for the United Kingdom more closely, Mr. Birla said that Lancashire competed with India in dhotees and coloured goods. The country's total consumption of 'dhotees' was 947,000,000 yards every year, while India produced 700,000,000 yards annually. Coloured goods had a similar tale to tell and while the imports had been stationary, the local production had been going down. The obvious question was whether protection could curtail the supply. Mr. Birla said it would not and Lancashire, India's principal competitor was left out. Their suspicion was that while a small measure of protection was being given to the Indian industry, the Bill proposed equal protection to Lancashire. Mr. Birla asked the House if it was fair to tax the Indian consumer in the interest of an industry which was not Indian. Bombay interests had been placed in a very difficult position, for if they rejected the Bill they would lose whatever little protection they were getting. But Mr. Birla appealed to them to wait a little longer and demand unalloyed protection, free from imperial preference, and not pay two crores a year to Lancashire as compensation for getting a little protection.

In this connection, he referred to the remarks of Diwan Chaman Lal and Mr. Das regarding the mis-management of managing agents in Bombay. Mr. Birla said 50 per cent. of the total yarn produced in the country was produced in Bombay, which fact did not show inefficiency. He asked the members not to be unsympathetic to Bombay, for in killing Bombay they would kill Indian trade. If they were anxious to nationalise the industry, it would be easier to do so in the case of a national industry than in the case of a foreign one. For none doubted that cotton was the national industry of the country. Referring to Mr. Chetty, he agreed that the cotton industry needed protection, but he did not concur that the protection proposed was adequate and that imperial preference would not injure the best economic interests of India. Mr. Birla told the Government if Lancashire did not compete with Indian goods, why not place it on the same level with Japan and accept the amendment of Pandit Ealaviya. It was not

administrative difficulty but protection of the interests of the United Kingdom which stood in the way

Mr. Birla said that if the House had any self-respect, they should unhesitatingly reject the Bill. The Government had told us at pistol point either to accept imperial preference or go to the dogs. 'I will tell the Bombay Interests to walk out of the House and tell the Government to go to the dogs.' He further told the Government that when India had full responsible government they would favourably consider all the legitimate demands of Lancashire but their present policy was suffering the attitude of the people and greater harm than good would result from the proposed protection. The Government had not brought in even the present proposals in 1927, because then Japan did not so much compete with Lancashire. Since then the United Kingdom had lost 66 per cent. of her sales in the country.

Mr. M. A. Jinnah, while agreeing with a great deal of what Mr. Birla had said, wished the House to keep in view the constitutional position. He did not wish to refer to the history of the case. The moment the cotton excise duty was abolished, the exchange ratio wiped out its advantage to the mill industry. He quoted from the observations of the Joint Parliamentary committee on the subject of fiscal autonomy and said that, when the Government with the legislature acted together, the Secretary of State would not interfere. But the difficulty was that the initiative of putting a proposal was with the Government. 'How then are we to act as a Dominion would?'

President—By convention.

Mr. Jinnah.—We are not masters of the situation

President—Fiscal autonomy is a reality.

Mr. Jinnah.—If you permit me, I will convince you also, Sir. (Laughter).

The Government is not bound to abide by the vote of this House, Mr. Jinnah observed. 'If fiscal autonomy were a reality, they would be bound. Can you give me a ruling, Sir, that they would abide by our vote?'

President—That's what I understand to be the position in regard to fiscal autonomy.

Mr. Jinnah—I would like to know the Government's view

Mr. Prakasham—You have the ruling

Mr. Jinnah—The ruling cannot be enforced

Mr. Kidwai—Has fiscal autonomy been given to the Government benches or to us?

Mr. Jinnah.—That is another deluded member.

The Commerce member said that the Government could not accept a drastic change in the scheme, and that if either Panit Malaviya's or Munshi Iswar Saran's amendment were carried, it would be impossible for the Government to proceed with the Bill.

President—That position of the Government of India is entirely inconsistent with the statement of the Finance Member that fiscal autonomy is a reality and that it is an integral part of the constitution and also the statement of the Secretary of State in the House of Commons in a recent debate that India enjoys the same liberty in a measure of fiscal Tariff as Great Britain enjoys. (Opposition cheers)

Sir George Rainy replied that only if the Government of India and the Legislature were in agreement the Secretary of State would not exercise the power of superintendence, direction and control. There were differences in the constitution of the Government and Legislature between India and the Dominions.

President—Unless the Government are prepared to assimilate themselves to the position of Ministers and act as such in this matter of fiscal autonomy, this fiscal autonomy has no meaning. (Opposition cheers.)

Mr. Jinnah.—There is very little doubt in my mind. I wish the hon members to understand the position. I myself wished to move an amendment when I came to the conclusion that if the amendment was carried it would wreck the Bill and I am not prepared to take the responsibility for this Bill being wrecked and see the funeral of the mill industry.

Continuing Mr. Jinnah said that imperial preference could only be either as a reciprocal arrangement between two free nations or a voluntary gift from one to the other. India was not yet a Dominion nor had the Government said that they were making a gift. They, on the other hand, denied that they were asking the House to commit itself to the principle of imperial preference.

"I am not satisfied with the Government scheme, but I feel that beggars

cannot be choosers All I am saying is that I cannot give my support to this measure being wrecked "

Certainly this appeal from His Majesty's Government might have been left out That could only come if we were in a position to decide the matter according to our judgment He thought, at the same time, that the Labour Government had shown good will, good words and good manners and deserved consideration

Mr Jinnah then referred to the numerous telegrams received from Japan and said "We have no unfriendliness towards Japan but they must also realize that we are not masters of our own house Therefore we cannot do as we please "

Mr. Jinnah reminded the House that the Government had yielded a bit over Mr. Chetty's amendment and also quoted Mr Bula's words that if protection was not given, all the mills would declare a lock-out by the end of May "Do you want to take that responsibility ?

Dr Moonje — Throw it on the Government

Mr Jinnah — The responsibility of course is entirely theirs We are not in a position to endorse the Government's scheme, but we cannot also oppose this bill and if we find this Bill in danger we shall be obliged to support the bill (Applause.)

*Sir Cowasji Jehangir* could not congratulate Diwan Chaman Lal on the logic of his facts He disputed the statement that the Bombay mills had been giving dividends to the extent of 178 per cent on the money invested On the other hand taking the lean years into consideration the average profits came to 5 per cent He reminded the house that Japan and Lancashire also gave high dividends in those years of economic boom and in actual fact the dividends given by the Ahmedabad mills were higher than those given by Bombay Sir Cowasji next referred to the lurid picture drawn by Diwan Chaman Lal of the housing conditions for labour in Bombay and said that none regretted the conditions more than the Bombay millowners After referring to the expenditure of Rs 74 lakhs on chawls and the annual contribution of Rs 13 lakhs to the Government housing scheme the speaker felt that it was distortion of facts to say that they were not doing anything for housing the labour He also denied the charge that the labour was under-paid, as compared with Japan where longer hours of work counterbalanced the advantages and lowered the net wages He wished the labour leaders had improved the efficiency of labour instead of stirring them against capital Sir Cowasji wanted the house to visualise India without the cotton industry and said that the foreigner would reign supreme if it was wiped out of the country In conclusion, the speaker said that he was strongly against imperial preference, but the Bill did not propose that principle The only thing to show was that the proposals did not injure the interests of the country

*Mr K. C. Neogy* was quite prepared to give adequate protection to the cotton industry as he was pledged to assist every national industry But he was not prepared to accept the proposed means of giving protection, for he was not prepared to assist the Bombay industry to commit suicide

Referring to the fiscal convention which he characterised as a great sham, Mr Neogy said that the Government was free of the control of the Secretary of State and not responsible to the house He urged them to act according to the recommendations of the Crew Committee and not autocratically Proceeding, Mr Neogy said, that but for the financial stringency India might never have had protection for her industries But he did not like giving protection to British steel for two years and now to extend the principle of British preference to cotton goods He warned the house not to take the proposal light-heartedly as the principle of imperial preference was one plank in the programme of the Conservative party

After the speech of Mr Sharma the House adjourned

**26th. MARCH :—**On this day *Sir Purshotamadas Thakurdas* explained the view of the Indian Merchants' Chamber He first communicated to the House that he received a denial from the Japanese Cotton Shippers' Association and other Japanese interests of the statement made by him regarding the reports current in Bombay that the Japanese Government proposed to grant a 5 centum bounty to the Japanese mills and that Japanese ships were hurrying for Indian ports to dump the market before the Bill was passed Sir Purshotamdas Thakurdas asked why Bombay had been made a bull's-eye ; protection was for the entire mill industry and while Bombay

would hardly be able to meet the loss, the upcountry mills would be able to declare dividends. He put in a vigorous defence of the managing agency system to which he took his hat off for the manner in which they had saved the mill industry from ruin and crisis several times. He agreed that a reform was needed in the system but its wiping out would be a bad day for Bombay.

Referring to the Bill, he asked whether they could believe that Sir George Rainy, strict as he was, could be extravagant in the matter. The speaker argued that the Bill did not involve imperial preference as laid down by the Fiscal Commission and that the worst charge against the Bill was that it gave protection to the United Kingdom against Dominions and foreign nations. (A voice—Is not that preference?) Sir Purshotamdas Thakurdas felt that the opponents to the measure were subordinating the economic aspect of the problem to the political aspect. He was prepared to endorse the Socialist creed of progress in the present order wherever possible and not uprooting every system which the Communists advocated. He said the real reason of opposition was the past history of the textile industry.

He quoted from a speech of Sir W. Joynson-Hicks saying, 'We conquered India by sword, we mean to keep it by sword. We conquered it not for the benefit of Indians but because it provides an outlet for the British goods in general and Lancashire in particular' (Opposition cheers.)

Sir Purshotamdas Thakurdas—With this mentality of the British statesmen there is no wonder that the Indian public feel very shy in believing in the high motives of innocence of those who initiated the present proposals.

He next read the telegram of the Indian Merchants' Chamber preferring protection without an element of imperial preference. But if there was no other alternative to the present scheme then they must accept it to prevent a calamity to the mill industry of the country.

The speaker held that the villain of the piece was not the Indian mill-owner but the transitional constitution. "There is morbid humour for some humiliation for others in this discussion that when one party in the country is actively pleading for Independence and boycott of foreign cloth we in the legislature are being asked to give protection to the British industry. What a moment to choose for such gesture to Great Britain by the Government of India! If such gesture is to the benefit of the United Kingdom is it not likely that it may foment agitation for not only the boycott of foreign goods but for British goods? It is no pleasure for us to vote against the Nationalists in the Government lobby but we will vote for it under a feeling of humiliation that we are victims of circumstances created by the present constitution."

Mr. Agnihotry, a prominent member of the first Assembly who played an important part in the revision of the Cr. P.C., delivered his maiden speech on his re-election to the third Assembly. He spoke for an hour and a half and opposed the Bill because it involved the principle of imperial preference. This Bill is unique as it provides legalized protection for the purpose of protecting the industries not only in India but in England. While he was anxious to protect the industry fully, he asked the mill owners to wait rather than commit the House to this Bill. He charged the Government with deliberately avoiding the term 'imperial preference' and wanted protection to be effective and to operate in every field, including finer counts, so that the country might be entirely self-supporting and all wealth might remain in India. (Applause)

Mr. K. C. Roy agreed with the advocates of the mill interests that the industry was in a desperate condition and needed protection, that they could not meet foreign competition and could not manage the labour on account of outside influences. But the speaker did not agree that the bill did not propose imperial preference. It was imperial preference pure and simple, but like Mr. Chetty he was not ashamed of imperial preference. Mr. Roy said he, however, accepted the preference principle as a political proposition rather than an economic one. Their own action would compel the British Government to recognise their claims and do justice to them. It was on the principle of give and take that he accepted the principle. Mr. Roy quoting figures from a statement of Mr. McDougal, the well known Australian economist, pointed out that British trade really suffered at the hands of the United States and Japan. He had no sympathy with the former where Indians were treated

as undesirable aliens and although he was greatly proud of Japan as the one Asiatic nation holding its own against the nations of the world, he felt as compared to Britain it too had done nothing for India. Mr Roy next quoting from the Joint Parliamentary Committee Report examined the constitutional position in regard to tariff autonomy and said the house did not possess it, because that autonomy was to be regulated subject to Britain's international obligations and Empire interests.

Referring to the distribution of Japanese pamphlets, Mr Roy said he and other members of the Watch and Ward Committee, including Messrs Ghuznavi and Neogy were very anxious about the sanctity of the lobby, but pamphlets were bound to be distributed in the precincts of the chamber when a select committee was not appointed to consider the bill where the Japanese cotton interests would undoubtedly have been heard. He condemned the aspersions cast yesterday by a member on distinguished foreigners. Indians must show the same courtesy to Japanese and other foreigners and their parliaments as they received from the parliaments of other countries. Concluding Mr Roy said if we pass this Bill we would be in a better position for political bargaining.

Mr. Kelkar declared that the impeachment of the mill industry of the mill-owners was ungracious and uncalled for. 'If we blame the industry our displeasure will miss its real aim which should be directed against the Government who are the real villains of piece.' Mr. Kelkar held that preference for Lancashire would lead to its capturing the void which the elimination of Japan would create. He favoured the stronger protective measure of an all-round 20 per cent. duty. He warned the mill-owners that if they sided with the Government they would only confirm the suspicion that they had bargained in the matter with Lancashire. There were reports of a leading millowner of Bombay negotiating with Lancashire on the anti-Japan basis.

Mr. Mody :—I cannot vouch for what individual members might or might not have done. But no attempt was made by or on behalf of my association in this matter.

Sir George Rainy :—I should like on behalf of the Government to say that there was no communication from our side.

Mr. Kelkar :—This is all stage managed. I shall be ready to accept a well founded contradiction, but we cannot get over the impression created by the report that one big mill-owner bargained with Lancashire.

Continuing Mr Kelkar asked the millowners to follow Mr. Bula's lead, but felt that the millowners proved the Sanskrit saying, 'What sin a hungry man will not commit.' (Laughter.) Mr. Kelkar said that while Sir George Rainy had described the proposal as preference, Sir George Schuster's description was not straight.

A Voice :—Crooked.

Mr. Kelkar :—Yes, crooked. The fact is that the particular course of conduct at a critical juncture, as Sir George Schuster had described the scheme, was an illegitimate child (Laughter.) Why did not Government let the Assembly pass an unfettered vote and abide by it.

Dewan Chamanlal :—An authoritative interpretation of the fiscal autonomy should be obtained.

Mr. Kelkar :—This is the so-called autonomy. A mandate might not have come from the Secretary of State, but from Lancashire.

Sir George Schuster :—Is the hon. member suggesting that there was direct communication between Lancashire and the Government of India?

Mr. Kelkar :—The Government of India lives in the atmosphere of British commerce.

Sir George Schuster :—Will the hon. member accept the most categorical assertion that no suggestion of any kind for imperial preference or preference for Lancashire has come from His Majesty's Government or from any representative of British industry? The suggestion has emanated from the Government of India alone and if any one is to be blamed for it they are to blame.

Dewan Chamanlal :—Are the Government of India in a position to accept the decision of the house?

Sir George Schuster :—What vote?

Dewan Chamanlal :—If Pandit Malaviya's amendment is voted by the house, will the Government of India accept the decision of the house?



Sir George Schuster—The Government of India are in the position of being responsible for the policy in this matter. They put before the house what they consider the proper proposal, taking into consideration all kinds of interests which bear upon this matter in the best interests of the country. The Government of India are responsible and cannot put that responsibility which rests on them on any other shoulders. That is the constitutional position at the moment. It is for this reason that my hon. friend has announced the decision to which the question refers.

The President—Is the Government of India responsible to the British House of Commons or to this House? It cannot be irresponsible altogether. It must be responsible to some one. (Opposition cheers and cries of hear, hear.) In this matter to whom is the Government of India responsible? (Applause.)

Sir George Schuster gave no reply.

Mr. Kelker—I am not going to question the Finance Member's veracity, but I am puzzled. When you look at the history of the cotton question which Sir George Schuster himself calls troubled, (Mr. Neogy—When thumbs were cut off by Sir Darcy Lindsay's ancestors)—When I look at that history I am puzzled why the Government of India of all things thought of this special treatment of Lancashire which had been throughout our deadliest enemy. Why have you a soft corner for them? (A voice—Their kith and kin.) A full explanation is called for. I hope the whole correspondence would be published.

Mr. Fazal Rahimtoolah felt that the debate had been taken on a wrong course. They were not asked to consider at the present stage the question of imperial preference, but that of protection of the cotton industry and it would be open to the house later on to accept or reject the amendment of Pt. Malaviya which eliminated the principle of imperial preference from the Bill. He was gratified to see all sections in the house agreed on the need for protection for the cotton industry and with that view before them they should allow the Bill to be taken into consideration. The speaker said he was opposed to imperial preference, but the question whether that principle as embodied in the bill was in the best interests of the country or not would arise at a later stage. Referring to the system of managing agents, Mr. Fazal Rahimtoolah said the difficulty lay in the present system of banking when no mill could get any advance of money unless the demand was signed by the managing agent who was held responsible in his personal capacity. He suggested to Sir George Schuster to remedy the defect. Proceeding, Mr. Fazal Rahimtoolah said that they had not so much objected to competition from Japan as to their dumping goods on the country and the speaker held that cheaper railway and steamer freights indirectly helped the dumping of goods. In conclusion, Mr. Fazal Rahimtoolah said the Government did not do the right thing. They were giving protection two years after the Tariff Board had reported and had created a suspicion in the minds of the public and it was useless for Sir George Rainy to explain whether the bill was in the best interests of India or of Lancashire.

Mr. Jahangir Munshi refused to surrender to the judgment of the protagonists or opponents of the bill but proposed to consider the measure with an open mind. Referring to the Finance Member's budget speech he said that Sir George Schuster had told the house that the tariff autonomy was a reality and the Government were putting before the Assembly their considered proposals in the Cotton Protection Bill for the final decision of the house. The speaker hoped that the Finance Member still maintained that position.

27th MARCH.—Mr. Jahangir Munshi continuing said that while Sir George Rainy's attitude over the oil duties had made a great impression, the speaker could not believe how the Commerce Member could be a party to a British preference scheme if his judgment had been unfettered. The European group had pleaded for European interests and Mr. Moore, merely because the oil interests of Burma had enjoyed special advantage for 25 years, wanted it to be extended for another 25 years.

Mr. Moore protested that he spoke for the interest of the consumer and not for that of European companies. The consumer had benefited for 25 years.

Mr. Munshi—Has not consumer's benefit been also the Burma oil companies' benefit?

Mr Moore maintained that the European group had throughout by speech and vote in the Assembly identified themselves with the best interests of the country

Mr. Munshi—Then members on the opposite benches are lunatics and oppose the consumer's interests (Laughter)

Mr Neogy—My hon friend is connected with a paper which calls itself the 'Friend of India'

Mr Munshi concluding said that the Government had placed the House in a damning position and asked the Nationalists who believed in the political principle of 'Get what you can and fight for more' to apply the same theory in the economic field and accept the scheme

*Pandit Krishna Kant Mulwariya* said that they were at the parting of ways Mahatma Gandhi had already started the movement which many of them would sooner or later join if India did not get freedom as an equal partner in the empire. She would have to work out her own destiny and promote an Asiatic federation. If the measure was forced on the country they would accept the challenge and organise in the country a boycott of British goods

*Pandit Thakurdas Bhargava* said that the truth of the matter was that Lancashire needed protection quickly. That was why even a Tariff Board enquiry was dispensed with. He emphasised that fiscal proposals must be in accordance with Indian opinion. Was the Government carrying that out? 'We do not want a bargain for a political purpose. We want self-government as a birth-right. It is high time that the Government should give the House freedom to vote, take away the preference and bring only a protective measure

*Sir George Rainy* spoke for an hour and made a remarkable speech in replying to the debate. The Commerce Member first dealt with the arguments of those like *Diwan Chaman Lal* who held that no protection was called for. He told them that the main question involved was not the interest of those interested in the capital of the industry but the economic welfare of the Bombay city and presidency and lakhs of labourers and others who were dependent on the industry directly or indirectly. As for the sins of mill-owners he asked the House to remember that the industry was not in the hands of a large corporation but consisted of innumerable units, so that when there is a shortage of supply each unit thought 'If I don't raise my price, the others will.' Thus profiteering became inevitable. The Government did not, however, conceal their conviction that the re-organisation of the Bombay industry on a drastic scale was imperative if the industry was to live. For a certain kind of goods Bombay had the best advantages and economics. Such specialised production could more than balance the advantages enjoyed by the mills elsewhere

Referring to the interest of the consumer, he said: 'I hope the time will never come when that argument will not be freely advanced from this Assembly (Opposition ironical cheers), but the Government cannot go with the advocates of this view to the whole extent, because the policy of protection clearly implies a burden on the consumers. But in spite of the burden on consumers, it is likely to be of national advantage. We feel that in our proposals, real efforts have been made to ensure that the benefits of the manufacturer are commensurate with the burdens imposed on the consumer.'

Continuing *Sir George Rainy* said, that Mr. Birla's criticism was that protection was not adequate, but if even the record figure of production of the mills was taken the speaker did not agree that at a time when reorganisation of the industry was to be undertaken the production could pass those record figures. As for reduction in imports *Sir George Rainy* had no doubt in his mind that the reduction would be substantial. One of the changes against the Government was that they desire to benefit Lancashire. Those who make the charge completely undertake the extent whereto the increase to an all round 15 centum duty would effect the reduction of imports as much from the United Kingdom as elsewhere. Under the 15 centum duty Lancashire may lose far more than the goods from other countries under the 20 per centum duty. If the accusation that we are machiavelian is to lead to this result, the charge that we are machiavelian must also be accompanied by the charge that we are singularly stupid. We are not asking the House to adopt the principle of imperial preference but the imposition of duties which do give preference would involve the establishment of tariffs whereunder empire products would come through

lower rates than from else-where and that would be done as evidence of India's consciousness of the benefits it derives from its partnership in the empire. We are not asking India to do that. My feeling was that unless the 15 per centum duty was reinforced by something more than minimum  $3\frac{1}{2}$  annas duties on plain grey goods the case would not be met. At the same time an all round 20 per centum increase would impose a burden on the consumer incommensurate with the benefit to the manufacturer. Therefore it left no alternative but to discriminate in favour of British goods. But the benefit to Lancashire is incidental, while the advantage to India is fundamental.

Sir George Rainy continued that he would define what exactly the fiscal autonomy convention is.

The President—Who is the authority in the House to interpret the convention?

Sir George Rainy—'I am going merely to explain the view which the Government of India take of it, and leave it at that.' He quoted at length from the Joint Parliamentary Committee report on the subject and emphasised two points arising out of the committee's observations. Firstly, that the Government of India should devise those tariff arrangements which seemed best fitted to India's needs as an integral part of the British Empire. Those who drafted it were men well versed in parliamentary procedure to know that the initiative for taxation and tariff proposals must lie with a minister of the Crown. In India the initiative must rest with the Government. So under the convention the Government must devise arrangements and place them before the legislature. The second passage was that the Secretary of State should not, as far as possible, interfere when the Government of India and the legislature were in agreement. The committee did not pursue the point further, as it assumed that the Government of India and the legislature would discharge their respective functions according to constitutional practice on the British model.

Sir H. S. Gour—The crucial point is that India will have the same liberty as Australia or New Zealand. Emphasise that. (Opposition applause)

Sir George Rainy—The hon. member wishes to make a speech for me. (Laughter) The fiscal autonomy convention means that while there is always previous consultation with the Secretary of State the final decision as to the proposals to be placed before the legislature rests with the Government of India and none else. In this case apart from previous consultation with the Secretary of State, the Government of India's position is that of a Dominion Government which places its proposals before the legislature. To that extent the Government of India are independent. But how long this position of independence continues, namely, till the legislature pronounces on them. In the Dominions if the legislature does not agree there is a change of Government which restores harmony. (Here, here) In India under the present constitution no such result is provided for, so that if the Government and the legislature do not agree the convention ceases to operate. The Secretary of State's speech in the House of Commons referred not to any new convention, but to the one in operation for ten years which showed that whenever there had been agreement between the Government and the House, the Secretary of State refrained from interference. 'If the Government and the legislature are not in agreement there is no means of resolving the deadlock under the present constitution till by persuasion one side won over the other. While therefore in the sphere of tariffs, India already possesses Dominion Status it does not yet possess a Dominion constitution.'

Sir George Rainy, continuing, said that it might be contended that the Government should in this matter, abide by the majority vote of the House. That would mean nothing short of abdication by the Government of its obligations in the very large part of financial sphere. The convention applies not only to duties imposed for protective purposes, but also to those for revenue purposes, and if the verdict of the House is to be accepted the position of the Government will be intolerable. What we are looking forward in the near future is a step forward on the path of India's constitutional advance. If the conference in London should result in placing tariffs in the hands of those responsible to the legislature then the Minister would abide by the verdict of the House or resign. But under no constitution derived from the British model is there a dual control of taxation and tariff provided.

Sir George Rainy referred next to the argument of those who said that the fiscal autonomy convention was a sham. 'Is it seriously urged that the policy of protection would have been adopted without this convention, or that the steel industry could be

protected ? Sir George Runy recalled how the imposition of cotton duties in 1894-95 almost led to the fall of the Liberal Government and how the increase of customs duty from  $2\frac{1}{2}$  to  $7\frac{1}{2}$  per centum was about to cause the downfall of the Coalition Government in the heyday of its power in 1917 and how the duty had been raised to 11 per centum in 1921 and now to 15 per centum.

"This was all possible because the Government of India and the legislature were in agreement. The convention once having been fully and frankly accepted by his Majesty's Government in England we have no reason to apprehend interference from that quarter. (Applause) ut if it were proposed that the Government of India's agreement must be assumed whenever the majority of the Assembly took a particular view that would be an interpretation of the convention entirely novel and something different from anything that existed since 1921.

Sir George Runy finally dealt with the arguments of those who doubted their motives. 'I feel if this attitude of suspicion was very frequently indulged in by the members they will find their own judgment clouded, making it impossible for them to arrive at the correct proposition. It has been said that the past history of the cotton industry shows that injury has been suffered at the hands of Great Britain. I am not going into them, but would remind the House that the situation today is not the situation of 1780 or 1813-1814 or 1832-1895 or 1917. We have to deal with the situation in 1930. That situation is that the Bombay industry is in a grave danger owing to the competition from Japan which is due to sheer efficiency. It is for that reason that Bombay and Lancashire too will have to recognise themselves. Japan made a great advance showing an example to the world of efficiency and it is only if the Indian industry takes advantage of the opportunity given to it that it can hold its own against the Japanese without any assistance in future. (Applause)

#### PRESIDENT'S APPEAL

The President put the motion that the bill be taken into consideration to the vote of the House. There was a challenge of division. The President appealed to the members not to challenge a division at that stage for the purpose. The Opposition took the advice and the motion was passed without division.

The amendments were then taken up.

#### AMENDMENTS

Mr. *Suresh Chandra Dutt*, moving the amendment that clause 2 be omitted said that if it was intended to give national protection there should be national control.

The President pointed out that the house had already accepted the principle of protection so the question could not be raised again.

The amendment was rejected without further discussion.

Mr. *Shanmukham Chetty* moved an amendment which was slightly changed compared with the original and ran as follows :—

In sub-clause (i) of clause 2 for the proposed item 156 A, the following be substituted :—156 A, cotton piecegoods (other than tents of not more than nine yards in length : (A) Plain grey that is not bleached or dyed in the piece if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings (i) of British manufacture, advalorem 15 per centum or three and a half annas per pound, whichever is higher : (ii) not of British manufacture advalorem 20 per centum or three and a half annas per pound whichever is higher. (B) Others (i) of British manufacture advalorem duty of 15 per centum ; (ii) not of British manufacture, advalorem duty of 20 per centum.

He said his object was to abolish differentiation in one particular class of goods. The Indian mills produced a great quantity of plain grey goods. It was essential considering the magnitude of the production, that the duty should not only be adequate but effective. His amendment will do that.

*Pandit Malaviya* next moved his amendment which proposed on cotton piecegoods a uniform duty of advalorem 15 per centum or three and half annas per pound whichever was higher. He acknowledged the necessity of giving adequate protection to the cotton industry in Bombay which had been hard hit by the evil policy of the Government. The amendment raised the question of the amount of protection to be

given He complained that Sir George Rainy had avoided answering many questions of importance, particularly those raised by Mr Birla Referring to the correspondence between the Government of India and the Secretary of State the Pandit said that there was no dictation from Whitehall, but he could not understand why it suddenly dawned upon the Government of India to impose additional duty of five per cent on non-British goods The Government of India showed a tenacity in this matter worthy of a better cause

Sir George Schuster explained that he had given full information to the house as to their plans on the 13th March

Pandit Malaviya said the Government had no justification to raise the duty from 15 to 20 per cent if it was not their original plan.

Sir George Schuster, again intervening, said that the question had always been under consideration since the Commerce Member and the Acting Finance Member had received the millowners' deputation After they were approached by the Cabinet they thought it desirable to raise the duty.

Pandit Malaviya said it meant that the Government of India set aside their original plans and came out with fresh proposals If the Government had not received any message from the Cabinet their original plan would have been final.

Sir George Schuster said the Government of India had not arrived at any final decision before they received the message from the Cabinet.

The President remarked that the best thing would be for the Government to lay all the papers on the table of the house

Sir George Rainy extremely regretted that he could not do that. He had nothing more to add on the subject.

Pandit Malaviya said it was most painful that public servants should refuse to lay papers on which the happiness of millions depended. When he was proceeding to argue his next point the President adjourned the house till next day.

*28th MARCH.*—Continuing his speech on this day Pt. Malaviya said that though the Government had refused to place on the table of the House the correspondence it was quite clear from Sir George Schuster's reply that the Government wrote to the Secretary of State that they considered that the millowners' demand for an all-round 20 per cent duty was reasonable but perhaps were worried by the fear that Lancashire might, as in the past, jeopardise the existence of the British Government.

Sir Hugh Cocks.—May I ask the Pandit whether, leaving out Lancashire, it would in his view have been a good thing for the Indian consumer to put a 20 per cent duty all round?

Pandit Malaviya.—Yes, I will come to the consumer and prove it. I think it would have been perfectly honourable for Sir George Rainy to have got up and said.—'We have the interests of our country at heart and propose, therefore, a preference for "home" goods.' As for the Indian masses, their misery or happiness has been the misery and happiness of my life. But this wicked system of government, run on extravagant lines, has imposed heavy taxes and is increasing their suffering. The Government have quietly imposed Rs 5,00,00,000 of tax even this session. If a higher duty is to be paid in the interest of a national industry, it must be paid How can you talk of the poor man's interest when you have imposed the silver duty and the sugar duty on them?

Referring to the speeches of Mr. Mody and some others, Pandit Malaviya said that it was very painful to find men of intelligence and education putting in an apologia for the Government's profession that there was no imperial preference, when the Government itself had admitted through Sir George Rainy yesterday that preference was involved.

Continuing Pandit Malaviya was disappointed with Mr. Chetty's attitude and declared: 'Politics be hanged. I want in return an economic advantage for the masses, some "quid pro quo". Where is it in this scheme? You have no right to lay your hands on the people's property. Here is Mr. Birla's statement that you are making Lancashire a gift of two and a quarter crores yearly at the cost of India. Why did not Sir George Rainy contradict that?

Mr. B. Das.—They dare not.

Pandit Malaviya.—I am pained that the Government officers who take the oath of allegiance to the Crown do not place the interests of India first and foremost.

Figures have shown that the competition is really between Japan and Lancashire. Japan has won the field in a few years by marvellous efficiency. England herself dare not discriminate against Japan, but why is England herself taking advantage of our dependence upon it and inflicting a wrong on our people? The position that the Government of India should be responsible for such proposals is truly intolerable. I hope that the Government will still reconsider the position and propose a 20 per cent uniform duty on all cotton piece goods. But if they do not, then my amendment proposes uniform rates which, though they give lesser benefit to the mill industry in some sphere, introduce uniform rates and do not discriminate against any particular country. The pity of it is that we had no time to examine the scheme before the select committee.

President.—It is not too late yet.

Pandit Malaviya.—Only we are in despair, our numbers are weak, our stamina is weak and there is a desire to escape from this situation as early as possible. The sufferings of the people are now a living factor in the hearts of many of us and we feel that there is no likelihood of the Government accepting any suggestion from us.

Pandit Malaviya regretted that the Government had deteriorated during the last few years. Despatches giving full facts had been few and far between. He did not know whether the decision on this matter was taken by the Government of India. If so, he would like to know what views individual members of the Government had expressed. Pandit Malaviya explained that the difference between his and Mr. Chetty's amendment was only that the latter proposed discrimination against non-British goods, while he held that Lancashire by producing 'dhories' from finer counts was competing with Indian coarser 'dhories'.

Proceeding Pandit Malaviya said that the Government was coercing the members. Even during the Rowlett Bill debate the Government did not adopt this unprecedented attitude that they would not accept suggestions. He felt bitter that his Bombay friends and Mr. Jinnah too had succumbed to this influence during the steel industry debate, and again now, and declared, 'My Bombay friends are acting under the coercion of a legalised despotism (Cries of shame.) They have succumbed. I have received and am receiving appeals from Bombay and elsewhere reminding me of their magnificent support to the Hindu University and the Tilak Swaraj Fund. I am grateful to them but I can allow neither the Hindu University nor any other interest to stand between me and the interest of the country. (Cheers.) If it be necessary, I will sacrifice a hundred Hindu Universities and I hope God will give me strength.' (Hear, hear.)

Pandit Malaviya, continuing, said: 'I hope my Bombay friends will weigh the consequences of their action. I find that while the proposals of the Government will give them temporary relief there is that insidious position of bounty to Lancashire which will work disaster to the Bombay industry. I will tell you it will not be able to stand the competition of Lancashire for any length of time. I want the Bombay industry to live, but if it is necessary to sacrifice it at the altar of the country, I will have no hesitation in sacrificing it. (Applause) Can Bombay live when India is impoverished? (Cries of 'shame, shame'.) We have no hesitation in asking the consumer to bear the burden for the sake of the cotton industry which every country in the world is trying to build up by protection, but I ask them, will they take a cup of milk mixed with a drop of poison? I claim pure milk and it is my birth-right to have it. (Applause.) I tell the Government there is such a thing as the people of the country and if the indignation of the people is roused this measure will not take them very far. The scheme adumbrated by the Commerce Member regarding the convention is a dictation of the worst kind I have heard.' (Applause.)

Pandit Malaviya then examined the position propounded by Sir George Rainy yesterday with regard to the fiscal autonomy convention and emphasised the points as expounded by the Selborne Committee Report. Firstly, there must be agreement between the Government of India and the Legislature and, secondly, India had the same liberty in fiscal matters as any other Dominion. There was the Crewe Committee which laid down that a joint decision between the Government of India and a majority of the non-official members of the Assembly must be given the same degree of authority as a similar decision on legislative proposals. The committee further mentioned, that as there was a substantial official vote in the Assembly and an official majority in the Council of State it did not follow that any measure passed by them had necessarily the support of the majority of non-officials in either

chamber. In order, therefore, to give proper emphasis to the legislative authority of the Assembly, the Crewe Committee recommended that where the majority of the non-official members of the Assembly agreed with the Government, the refusal by the Secretary of State to Legislation should be confined to matters affecting the safety of India and of paramount importance. In the face of this clear and authoritative proposition laid down by the Crewe Committee, can you tell us that even if the House passes the amendment by a majority vote the Government won't accept it?

Continuing, Pandit Malaviya quoted press reports about Mr Wedgwood Benn's reply in the House of Commons that the Secretary of State had declared that in fiscal matters the rights of India and the Assembly were established and indisputable. But the Government had threatened a different course, even from what Sir George Schuster had said originally, namely, that they would solicit the most free consent of the Assembly.

Sir George Rainy—The correct words are, 'they would solicit the most free expression of opinion' and not 'free consent.'

Pandit Malaviya—I am glad of that correction. But he said that the final decision must 'rest' with the Assembly. I am asking you merely to act up to it.

Mr. Jayakar—Is the view of the Commerce Member the view of the Government of India and the Secretary of State?

Sir George Rainy—It is the view of the Government.

Mr Jayakar—Has it the approval of the Secretary of State?

Sir George Rainy—I have reason to think so.

Pandit Malaviya—Have you received a further communication on the subject?

Sir George Rainy—No.

Pandit Malaviya did not agree and turning to the President said—

It is a matter of great importance to the country. It is for you, Sir, to decide it. In view of the various interpretations, I will, Sir, request you to give your ruling on three points.

(1) Whether the interpretation put by Sir George Rainy on the convention is correct and consistent with the recent declaration of the Secretary of State?

(2) Whether the attitude taken by the Government that they have not an open mind with regard to my amendments which may be accepted by the house, and that if these were accepted they will not proceed further with the bill, is consistent with fiscal autonomy?

(3) Whether the official and nominated members are entitled to record their votes on the division on this bill?

Continuing, Pandit Malaviya said the convention was a reality and he wished to know whether in view of the Crewe Report, the Commerce Member's attitude was right, whether it did not deprive the house of its constitutional right. Moreover, in declaring that such matters should be decided by the vote of the majority of the non-official members of the house, the Crewe Committee foresaw the situation that had arisen to-day. The only solution proposed by the Commerce Member was to wait till a Dominion constitution was established. 'Are we until then to be at the mercy of the Government of India in regard to any taxation or fiscal proposals? There are questions I will beg you to consider and help the house with your guidance and it is very important that in a matter like this the Assembly should have the benefit of your considered opinion to guide it out of the situation wherein it finds itself (Applause.)

Sir H. S. Gour said that the House must enter an emphatic protest against Sir George Rainy's interpretation (Applause.) How could the Government be said to be acting in agreement 'when it does not consult or be convinced by the Legislature? The members of this House are in the same position as legislators in the Dominions. The Government say how is dominion practice possible when we are irremovable?' I answer that by saying that the mere fact that you are irremovable does not take away your obligation, does not make you less responsible to this House. The meaning of responsibility in this case is that while we can not turn you out, we can change your views, because in this matter you have got to obey us. That is what the Commerce Member has to do. You cannot deny that within the small narrow compass of fiscal autonomy the constitution must operate as if we are a self-governing Dominion, and I submit, that is what the Secretary of State said that for the last ten years the fiscal convention had been worked by India like a self-governing Dominion. There is no incongruity

between an irresponsible executive and the working of a convention. This convention must be read as part of the Act.

'It raises another question. The Government want the most free expression of the opinion of the House. Do you think this House is in a position to give the most free expression of opinion after the Treasury benches have said 'Either accept half a loaf or nothing'? Is that conducive to free expression of opinion? (Opposition cheers.) Either the Government must convince us by the free expression of opinion or be convinced. In fiscal matters the Government has no power except with the concurrence of the Legislature.'

Continuing Sir H. S. Gour said The Commerce Member says when the Government and the Legislature do not agree the convention does not operate.

Dewan Chamanlal.—How is an agreement to be found?

Sir H. S. Gour.—By mutual consultation. If we are to place ourselves in the same position as in the Dominions the official and nominated members will not have votes.

Mr. K. C. Roy.—Do you deny that taxation bills go before the House of Lords in England and the Senate in Australia?

Sir H. S. Gour.—Here in the first Assembly the Finance Member wanted to refer the Finance Bill to a joint committee of the two Houses and I successfully prevented it. I ask the Treasury benches to reconsider the position and refer the bill to a select committee.

Mr. Jinnah asked: What is the point of order we are considering?

Pandit Malaviya then rose and read again the three points he had raised.

Sir H. S. Gour then concluded.—A question of the prestige of the house is always a point of order. It is in the power of the Chair to decide on constitutional matters and the rights and privileges of the house. This question was settled in the first Assembly in connection with the Supreme Court Bill with the consent of the then Law Member, and that question came of again in the third Assembly. It is the recognised privilege of the Chair to decide this question.

Mr. Arthur Moore contended that Sir H. S. Gour had begged the whole question by laying down that it was the business of the Government to agree with the house.

Sir H. S. Gour.—I never said anything of that kind.

Mr. Moore.—The whole of his argument was that.

Mr. Jinnah, interrupting Mr. Moore, said. I want your ruling, Sir, whether the three points raised are points of order, having regard to the progress of the Bill.

The President.—I should like to hear the hon. member on that also.

Mr. Moore, continuing, asked why it had been assumed that Government was not in agreement with the house. That was a point yet to be settled.

Mr. Prakasam raised a point of order that the Commerce Member had already said he would not accept the view of the house.

The President.—Order, order.

Mr. Moore contended that the Government was not asking the House to accept the scheme as they had put forward, but they were accepting the amendment of Mr. Chetty who did not belong to the reactionary group, but was one of the ablest members of Pandit Motilal's party.

Mr. Munshi.—Did he have a free choice?

Mr. Moore.—It is very unfair to Mr. Chetty to suggest that. None can say that the Government had not made the offer.

Mr. Moore, while protesting against the Government committing itself to Mr. Chetty's amendment behind the back of the house, held that if the official and nominated members were not allowed to vote it would win for India a Dominion constitution by a side-wind wiping off the whole constitution.

Sir B. L. Mitter contended that whatever the Government conduct in the matter the Chair could not withhold the progress of the bill.

The President.—Under the new rule?

The Law Member.—Yes Sir.

The President.—But if that is ultra vires?

The Law Member.—That is a different matter. (Opposition cheers.)

The Law Member agreed with Mr. Jinnah that Pandit Malaviya's point of order was not a point of order. He said that the question whether the official and nominated members could vote could be raised only where a division was called.

Mr. Jinnah maintained that even if the Chair gave a ruling against Sir



George Rainy's interpretation it could not be enforced and the Chair could not go behind the statute and debar the official and nominated members from voting.

Mr. Aney contended that the convention after 10 years operation was as good as any other part of the constitution. It had been declared authoritatively as an integral part of the constitution, and in this matter with a view to secure agreement between the Government of India, which as a single body was represented by the official and nominated members they must have separate votes of the other party, namely, the non-official members, with a view to establish agreement between the two.

At this stage President Patel adjourned the house till Monday, the 31st March.

### President's Ruling

*31st MARCH*:—On this day after formal business President Patel made a lengthy statement and held he was not called upon at this stage to interpret the Fiscal Convention. The Government had, by Sir George Rainy's statement, which was unwarranted by the constitutional position, violated the convention and made the debate farcical. He suggested to the Government to reconsider the position, though the mischief could not be undone wholly at this stage. President Patel said that the spirit of the Convention required that official members should not vote, but he could not prevent them by a ruling.

The statement ran as follows:

"Before proceeding with the further discussion of the Cotton Tariff Bill, I propose to give the Chair's decision on the points of order raised.

After recalling Pandit Malaviya's three points of order and Mr. Jinnah and Sir B. L. Mitter's objections thereto, the President said:

"The central contention is that even if the points of order raised by the leader of the Opposition were sound it does not seem that the Chair can give any relief, and where no relief is possible no point of order can arise. The Chair cannot concur with this view. The test whether a point is a point of order is not as to whether the Chair can give any relief, but whether it involves an interpretation of the rules, standing orders and various part of the constitution to regulate the course of business of the house in one form or another and whether it raises a question which the Chair alone can decide. The points of order raised by the leader of the Opposition fulfil these conditions. I therefore, rule that the points raised by the leader of the Opposition are points of order within the standing orders and rules of the house.

Continuing President Patel said: "The leader of the Opposition by his first point invites the Chair to give the house an authoritative interpretation of the Fiscal Convention. I desire to assure him and the house that if I were satisfied that such interpretation was necessary for any specific purpose connected with the debate on the Bill I should have without hesitation responded, but from what will follow later, the house will see that it is wholly unnecessary for me for the purpose we have in hand to proceed to interpret the convention at this state. I therefore, refrain from doing so.

"The position in regard to the second point is not so clear. The mill industry of India is admittedly on its last legs and needs immediate and substantial protection. The Government of India have submitted their proposals in that behalf to this house in the form of this bill based on the Fiscal Convention. They tell the house in the initial stages of the Bill that if the Assembly does not accept their proposals it will be impossible for them to proceed further with the Bill. This has created an impression in the minds of the members of the house that if they did not accept the proposals of the Government of India the mill industry of India would go without protection resulting in its total destruction. Several speakers during the course of the debate have expressed their strong resentment and disapproval of this attitude of the Government. In the considered opinion of the Chair the Government were not within their rights in taking up that attitude, having regard to the terms of the Convention and this is so whichever of the two interpretations of the Convention is correct. If we take the interpretation of the leader of the Opposition that the vote of the house is final and binding on the Government, Government are bound to proceed with the bill and take the vote of the house on it. According to the other interpretation, viz, that put by the Commerce Member, as soon as disagreement is found between the legislature and the Government, the Secretary of State would resume his powers of direction, superintendence and control. That means

that the Secretary of State might either agree with the Government of India or with the legislature. But if the house by the attitude of the Government is virtually compelled to accept the Government's proposals no case for the interference of the Secretary of State would arise and the house would thus be deprived of the opportunity of recording their free vote on them and have the matter examined by the Secretary of State. In either view therefore a free vote of the house is essential in all measures under the convention. It is therefore clear that the statement that the Government would not proceed with the bill is not warranted by the constitutional position and is also calculated seriously to interfere with the free vote of the house. In the first case where it is contended that the vote of the house is of a binding character, the Government of India are bound to proceed with the bill. In the other case where the Secretary of State resumes his powers, he might throw his weight with the legislature and direct the Government of India to proceed with the bill, and even where he does not accept the view of the legislature he might ask the Government of India to proceed by way of recommendation or certification. The Government of India are not fair to themselves or to the Secretary of State when they convey the impression that if the house did not accept their proposals they would allow the mill industry of India to go to wreck and ruin.

"In these circumstances, and in the interests of freedom of vote in this house and in either view of the Convention, it is due to the house that the Government of India should even at this late stage, reconsider their position and tell the house that they have an open mind and they have not finally decided and indeed, could not decide without reference to the Secretary of State to drop the Bill in the event of the house amending their proposals in any manner. I hope they will realise on reflection, if indeed, they have already not done so, that by the extraordinary attitude they have taken up they have denied the house an opportunity to convince them by arguments and persuasion and thus rendered the whole debate on this measure unreal and farcical and violated the Convention. I am aware that the suggestion made by me even if carried out by the Government would not undo fully the mischief done by the statement of the Commerce Member. That, however, is the minimum that is due in the interest of the free expression of opinion and freedom of vote so necessary in this matter.

"I now come to the third point. The leader of the Opposition contends that official and nominated non-official members are not entitled to record votes on any division on this measure. I fully appreciate the point of view of the leader of the Opposition that any decision taken in a house constituted as it is with 144 members, of whom 26 do not represent any electorate in India, will go forth to the world as the decision of India in favour of imperial preference, and it is therefore necessary that if the Convention is to be worked in the spirit of the recommendation of the Joint Parliamentary Committee the official members should not vote. But I hope he will in turn appreciate the limitations of the Chair due to the constitution under which it is bound to conduct the business of the house and I am sure no one knows more than the leader of the Opposition that by no possible stretch of language is it open to the Chair to rule that the official members shall not vote. The question whether they should or should not vote is for them to decide. As to their right to vote there can be no question. So also the right of the non-official nominated members. I agree that the real fiscal autonomy is possible even under the existing constitution if the decision on the fiscal measure is left to the vote of the non-official members and such decision is regarded as binding on the executive, but this can be done by a convention and not by a ruling of the Chair. I, therefore, rule that the official and nominated non-official members are entitled to record their votes."

After reading the statement President Patel appealed to the House to finish the Bill on the day and cooperate with the Chair in doing so.

Sir B. N. Mitra said that in view of the Chair's statement he should like that the House should adjourn till 2.30 p. m. to enable the Government to consider their reply to the Chair's ruling.

The President said that he had not given any ruling and that it was open to Government to announce its decision any time before the matter was put to the vote of the House.

Mr. Jinnah opposed the adjournment and said that they should proceed with the Bill as the Chair had only made a suggestion.

Sir B. N. Mitra said he understood the Chair had given a ruling, but if it were a mere suggestion they could proceed with the Bill.

The President—It is a suggestion now, but it may be turned into a decision at any moment later. (Opposition cheers)

Mr. Jinnah again opposed adjournment and the President agreed that they should continue the discussion to finish the session if possible to-day.

Mr. Hardy wanted to speak, but the President asked Sir George Rainy to reply on behalf of the Government to save time.

Sir George Rainy submitted that Mr. Hardy was the best authority on one aspect of the case, namely, the administrative difficulties involved in Pandit Malaviya's amendment. Mr. Hardy was, therefore, called upon to speak.

Mr. Hardy said that the House would pass the Bill and would disperse but his difficulties would begin from that moment. He knew that if the customs required additional staff the Assembly would sanction it, but Pandit Malaviya's amendment would dislocate trade, inconvenience the importer and increase the cost for the consumer. On goods specified in the amendment, specific duty would have to be levied on weight, while in that class of goods imported and sold in India by piece or length the unit of assessment would, therefore, be not the same as the unit of sale and would necessitate second assessment. It may lead them to open and examine goods for which they had not enough space at the Custom House. He appealed to the House to reject the amendment.

Mr. Jinnah opposed the amendment on merits. He said the amendment would lead Japan to develop trade in finer counts and thus evade duty while Lancashire already traded in finer counts and would have free duty access in India for her goods. The amendment would, therefore, take away all protection from the mill industry save 15 centum granted in the Finance Act. He said that if there should be any other amendment his party would consider it on merits.

Dewan Chamanlal could not understand the position of Mr. Jinnah. He said that the member the other day would only accept such amendment as would be acceptable to the Government and thereby save the Bill from being wrecked. To-day he was ready to accept any other proposal save the one of Pandit Malaviya. What would be his position, asked Dewan Chamanlal, if that amendment was unacceptable to the Government? How would he save the Bill from being wrecked then?

Mr. Jinnah said he would inform the member when the time comes.

Proceeding Dewan Chamanlal said that the reason why the Government had accepted the amendment of Mr. Chetti was that Lancashire did not mind losing trade in longcloth and shirtings when they would be able to shut out competition in dhoties, bleached and coloured goods. It was the fear of Japan which led Government to import imperial preference into the Bill. He could not understand as to how the Government could safeguard the interests of the consumer if they accepted the amendment. He wanted the Government to place all the connected papers on the table of the House to enable them to judge who took the initiative in the matter of Imperial preference. He also enquired whether, in view of the Government continuing the provisions of Imperial preference in the Bill, the Anglo-Japanese Trade Convention was a scrap of paper.

Sir D'Arcy Lindsay fully supported Mr. Jinnah and said he could not comprehend in what way it would help the national industry. They could hold against Lancashire at fifteen centum protection but could not hold against Japan even at 20 centum. He challenged Mr. Birla's estimate that Government's amendment would put two and half crores into the pocket of Lancashire.

Mr. Birla: What is your estimate?

Sir D'Arcy Lindsay angrily retorted: "It will place nothing in the pockets of Lancashire as the cloth will be sold to the consumer at a competitive rate."

Mr. Birla: Have you read the Fiscal Commission's report?

Sir D'Arcy Lindsay: This is common sense view.

Mr. Birla: Yes, you are taking a commonsense view in your own interest?

Sir D'Arcy Lindsay: I am taking a commonsense view in the interests of India and her industry.

Sir D'Arcy Lindsay hoped that Sir George Rainy would take Pandit Malaviya, Dewan Chamanlal and a few others to show the correspondence which would not, however, be placed on the table of the House as it contained other matters.

Mr. Aney: Has the member seen it?

Sir D'Arcy Lindsay: I have not seen it.

Mr. Aney: How do you know it contains other matters?

Sir D'Arcy Lindsay: It is only a common supposition.

Continuing Sir D'Arcy Lindsay referred to Mr. Neogy's charge that the speaker's ancestors had the Bengal weavers' fingers cut off.

Sir D'Arcy Lindsay said. "I thought we all came from the same ancestry but the book shows that those who cut off the thumbs were ancestors nearer to Mr. Neogy than to the speaker" (Laughter)

Mr. Neogy What a compliment to your ancestors : (Renewed laughter)

Concluding Sir D'Arcy Lindsay asked the House to give the greatest consideration to the matter and he supported the measure as it would be of real good to the mill industry of India.

*Sir. B. N. Mitra*, Leader of the House then made the following statement :—"In the statement which you made to the House this morning you made a suggestion that the Government of India should, even at this late stage, reconsider their decision in regard to the statement made by Sir George Rainy when he moved for consideration of the Bill. Before my colleague made that statement, the position had been very carefully considered by the Government of India who had given considerable thought and examination to the various amendments whereto my Hon'ble colleague referred in the course of that speech. As a result of the careful consideration the Government of India decided to accept one of the amendments, namely, that put forward by Mr. R. K. Sanmukham Chetty.

"That itself shows, Sir, that they had a very open mind while examining the various amendments which had been placed before them in the course of certain informal discussions. Having come to that decision, I think it was only fair to this House that the Government should make its position clear to this House and my Hon'ble colleague, well-known for his honesty, and frankness, (applause) did not hesitate for a moment to place the House in full possession of the attitude of the Government of India. The Government of India see no reason to depart from the attitude which they have adopted in the matter after the fullest consideration of the merits of various amendments which were placed before them. (Applause.) It is with the greatest regret, therefore, that I am unable to inform the House that the Government of India can in any way resile from the position. (Official applause.)

The debate on the Bill was then resumed.

*Pandit Hridaynath Kunzru* thought that there was a ray of hope, after Mr. Jinnah stated that he would consider proposals other than Pandit Malaviya's. But, in view of what Sir B. N. Mitra announced, Pandit Kunzru enquired what proposals other than that of the Government would be backed by Mr Jinnah if he was anxious to save the Bill.

Mr. Jinnah. We are not satisfied with the proposals of the Government nor with the amendment of Pandit Malaviya and we want to go further.

Pandit Kunzru maintained that the fiscal convention ceased to exist after the announcement of Sir B. N. Mitra and it was futile to argue and try to convince the Government when they had not an open mind. But he could not help saying that the original proposals of the Government were almost identical with the amendment of Pandit Malaviya. He asked the House why then did they not accept the amendment of Pandit Malaviya and wait for a year when the new constitution would be ushered in. In any case, he said the proposals of the Government would give adequate protection to the mill industry. On the other hand it would not be in the interest of the consumer.

Mr. Munshi suggested that, as the amendment to raise the duty by five centum all round had the backing of all sections of the House, it might be debated upon and put to vote first.

The President remarked : If the Member knew what backing that amendment had, he would not put the suggestion.

Concluding Pandit Kunzru alluded to the attempts in England to arrive at a tariff truce and doubted if the Government were justified in approving of tariff walls in India to give them advantage over non-Indians.

*Sir Purshothamdas* said that as Mr. Jinnah spoke before Sir B. N. Mitra's statement he wished to make clear further the Independents' position. They considered that Pandit Malaviya's amendment would give less protection than the Government proposal, while, as regards the proposal to give them twenty centum all round protection, he said : "We stand for it, but is there any option ? The Leader of the House has made it abundantly clear that there is no option to this House unless

it wishes to wreck this Bill Mill-owners have demanded 20 centum protection, but in view of the Government's attitude, we consider discretion the better part of valour and don't want to wreck the Bill.

Pandit Malaviya Do you challenge the correctness of my statement that, on the whole, my amendment gives better protection than the Government proposals containing preference for the United Kingdom which will work disastrously in the long run to the industry in India?

Sir Purshothamdas Mr. Mody is in the best position to answer.

Mr Mody was proceeding to reply when Mr Jayakar said We want the dispassionate view of Sir Purshothamdas and not the interested view of Mr. Mody.

Sir Purshothamdas All advises I have received from my Chamber indicate a negative reply to Pandit Malaviya's question.

Sir George Rainy, replying to the debate, reminded the House that there was a good deal of internal competition between the British manufacturers which would keep down prices, so that Mr Birla's fears of two and a quarter crores into Lancashire pockets were groundless, but he recognised that that was a matter requiring close watch The Government would keep a continuous record of the prices and appoint a special officer to investigate in a year the effect of the duty on prices of piece goods and place the report before the House Discussing the effect on the Indian cotton producer of the duty against Japan he mentioned that of the total Indian cotton bought by Japan only fifteen centum cotton goods came to India. Thus Japan was buying the rest of Indian cotton for goods for home and other foreign markets They would appoint a special officer to see the effect upon the price received by the cultivator of Indian cotton as a result of this Bill. Pandit Malaviya's amendment would give lesser protection and that would be still less if there were to be appreciable rise of prices He assured Dewan Chamanlal, that no Anglo-Japanese commercial agreement fettered India's commercial freedom. He concluded. "These proposals have originated with the Government of India and we placed them because we consider them best in the interests of India and no other."

#### PRESIDENT'S DISAPPROVAL

President: Having regard to the attitude of the Government I have decided in the circumstances which are so obvious to put the question. I made a certain suggestion to the Government. The Government did not accept it. The threat held out by the Commerce Member, therefore, remains not withdrawn. I desire to place on record my decision that any decision that this Assembly might reach on this important question will not be by the free vote of this House on the amendment. (Applause from Opposition).

Thereafter Mr. Shafi Daudi suggested that those who were interested in the mill industry should not vote.

President: I have already placed on record that any decision that the Assembly might reach will not be by the free vote of the House.

Pandit Malaviya's amendment was then rejected by 44 against 60 and Mr. Chetti's amendment thereafter was carried by 62 against 42 votes both amidst official applause and Opposition cries of shame, shame.

#### THE DIVISION LIST

The following 44 voted for the amendment of Pandit Madan Mohan Malaviya: Messrs. T. Prakasam, Krishna Choudhuri, T. N. Ramakrishna Reddi, M. K. Acharya, Abdul Latif Farookhi, K. V. Rangaswami Iyengar, M. R. Jayakar, Lalchand Navalrai, S. N. Haji, S. Mukherji, K. O. Neogy, S. C. Mitra, Dr. A. Suhrawardy, Messrs. A. H. Ghaznavi, Choudhuri Mahomed Ismail, D. K. Lahni Chaudhuri, Krishna Kant Malaviya, Mukthar Singh, H. N. Kunzru C. S. Ranga Aiyar, Madan Mohan Malaviya, G. D. Birla, Mushir Hussain Kidwai, Thakurdas Bhargava, Diwan Chamanlal, Sirdar Kartar Singh, Sirdar Gulab Singh, Gaya Prasad Singh, Nilkanta Das, B. Das, R. P. Sinha, Ganganand Sinha, Mahomed Shafi, B. S. Moonji, Agnihotri, S. D. Talatuley, T. R. Phookhan, S. C. Datta, Rang Bihari Lal, Harbilas Sarda and M. S. Aney

Those who opposed the amendment were: Sir C. P. Ramaswami Aiyar, Mr. Alexander, Sir Cowasji Jehangir, Messrs. Fazal Rahimtoolah, M. A. Jinnah, Sir Hugh Cocke, Sir Purshothamdas Thakurdas, Mr Mody, Sir D'Arcy Lindsay, Col. Crawford, Messrs. Ismail Khan, Siddiqui, Abdul Matin Chaudhuri, Jehangir Munshi, Lamb, Dr. Dalal. Messrs. K. O. Roy, S. C. Mukherji, Yamin Khan, Jowahir Singh,

Hira Singh, R S Sarma, Sir Abdul Quaiyum, Mr. Heathcote, Rev. J. C. Chatterji, Col. Gidney and 25 official members.

The voting on Mr. Chetti's amendment showed that the minority lost two votes which the majority gained, viz, S. N. Hazi and Gulab Singh did not vote against the amendment of Mr. Chetti and remained neutral, while Mr. Kabiruddin Ahmed and Mr. Bhuto, who remained neutral on Pandit Malaviya's amendment voted with the Government for Mr. Chetti's amendment. Otherwise the voting remained as above Mr. B. Das's amendment for deleting the clause relating to cotton yarn was defeated by 49 against 35, several Nationalists and Independents remaining neutral.

At the third reading of the Bill Pandit Malaviya said that he offered his opposition to the Bill for the last time. Arguments had been exhausted and there would be no further need to advance any now. He had been a member of the Legislature for 24 years but never saw the attitude of the Government so unreasonable as shown on the question of the Tariff Bill. The Government in disregarding the fiscal convention or the suggestion of the Chair had gone to the utmost limit and the speaker felt there would be no use in his party staying in the House any longer. On the other hand, they would be guilty of assisting the Government to pass the measure if they stayed in. Proceeding, Pandit Malaviya said that taking out 26 official votes would reduce the Government majority to a minority and in that sense they who had lost to-day had really won and the country would be able to judge that the Bill had not been passed by the free vote of the House. He, however, felt that there would be some authority to prevent the Government walking into the path of evil but he and his party would not take the responsibility for passing the measure. Thereafter Pandit Malaviya walked out followed by members of his party. So did Dewan Chamanlal after saying that he endorsed every word that Pandit Malaviya had said.

#### OFFICIAL BUSINESS

The House then passed the Tariff Bill, so also the Silver Excise Duty Bill after Sir George Schuster had told Mr. Lamb that the latter had made no case for preferential treatment of the silver producing company in Burma.

The House thereafter passed the Company's Amending Bill as reported by the Select Committee and the Income-Tax Amending Bill, Transfer of Property Act amending Bill and Destructive Insects and Pests Act Amending Bill as passed by the Council of State.

On the motion of Sir Cowasji Jehangir discussion on the resolution of Sir B.N. Mitra regarding giving effect to the League of Nations Convention relating to prevention of industrial accidents as also discussion on the report of the Public Accounts Committee was adjourned to the Simla session.

The House next passed the amendment to the Standing Orders as reported by the Select Committee and agreed to four demands for supplementary grants and 13 demands for excess grants.

The President then adjourned the House *sine die*.

#### Pt. Malaviya's Resignation

2nd. APRIL :—A number of Nationalists headed by Pandit Madan Mohan Malaviya tendered their resignations from the Assembly on this day, each writing his own explanatory letter giving varying expression of opinion, but all combined to make imperial preference in the Tariff Bill the common issue of protest. Pandit Malaviya in submitting his resignation of membership of the Assembly sent the following letter to the Viceroy :—

'I beg herewith to tender my resignation of my membership of the Legislative Assembly I do so with deep regret. I have been an ardent advocate of the reform and expansion of Legislative Councils in India ever since I joined the Indian National Congress in 1886. I served as a member of the United Provinces Provincial Legislative Council for nine years and with the exception of the first Assembly, I have been a member of the Assembly since 1910. When the Montagu-Chelmsford Reforms were introduced, I held with the bulk of my educated countrymen that they were inadequate, unsatisfactory and disappointing and I urged that, while we should endeavour to secure a better constitution, we should work the Reforms for what they were worth. I opposed the resolution of the last Congress for the boycott of the Legislatures and

after it was passed I still asked my fellow Congressmen under a compelling sense of duty to my country to disregard the Congress resolution and to continue to work as members of the Legislatures. Several members rejoined the Legislatures as a result of my appeal. If, therefore, I have decided to resign my seat in the Assembly your Excellency will understand that I have not done so light-heartedly but after grave consideration.

#### DEFECTIVE CONSTITUTION

'Ever since I came to the reformed Assembly in 1924, along with the majority of its elected members I have repeatedly protested against the evils which are inherent in its present constitution. But, defective though that constitution is, it could yet yield results more favourable to this country if it were worked in the spirit in which it was framed. But the Government have refused to work it in that spirit. The experience of the last ten years has demonstrated that the executive Government which is not responsible to the Assembly and cannot be removed by it, can with its bloc of official and nominated members and of those whose votes it can command because of the power and patronage which it possesses, carry through almost any proposition upon which it sets its heart and can at its will refuse to give any relief or assistance to the people, however urgently it may be needed. It has also shown that notwithstanding the Reforms, the power of the Government of India to exploit India in British interests is very little diminished and that they have used it almost as freely as they are used to and in certain respects much more freely than before the Reforms. It has shown that the Assembly as it is constituted is unable to protect the interests of the people when they are attacked or jeopardized by the Government.

#### OPPRESSIVE EXPENDITURE

'During all these ten years both civil and military expenditure has continued to be oppressively high. With a comparatively small exception the taxation introduced as a result of the war is still being maintained and it has been increased this year by the imposition of  $5\frac{1}{2}$  crores of new taxes. Though the number of Indians employed in some departments has been increased, the higher posts in the civil services of the country are still predominantly occupied by Britishers whose emoluments have been lavishly raised as a result of the Lee Commission's recommendations. The military expenditure has not been reduced even to the extent the Inchcape Committee had recommended and with a slight exception even the recommendations of the Skeen Committee for the training of Indians for the higher ranks of the Army have not been carried out. The Railway Board has been in existence for a quarter of a century but, notwithstanding repeated representations, the Government have not been able to find a single Indian to be appointed a member of the Board and numerous offices carrying high salaries which ought to be filled by Indians are still practically the monopoly of the Europeans.

#### THE 18D. RATIO

'The financial administration has been ruinous to the country. Let me refer specially to only one matter, currency and exchange. Who can calculate the loss which the Government have inflicted upon the people of India by raising the exchange ratio first to 1s 4d and then to 2s., and after it had settled down at about 1s. 4d by raising it again to 1s 6d. To indicate the measure of that loss only in one direction, it is calculated that from 1900 to 1929 gold resources to the extent of about 140 crores have been frittered away by the Government in their effort to bolster up the exchange. A large body of us, elected members of the Assembly, fought as strenuously as we could against the last mentioned change, but with the help of its official and nominated block and other votes, to secure which it used all its power and influence, the Government got the Assembly to register its decision to fix the ratio at 1s. 6d by the small majority of three votes. The enormous injury that has been done to the country by this one measure is difficult to estimate. The conviction is almost universal among business men in India that the 18d ratio has had a disastrous effect on the trade, commerce and industries of the country as also on its agriculture. There is widespread depression in trade, the purchasing of the people has been diminished and unemployment has been steadily on the increase. The capacity of

the people to bear taxation has been lowered. The present sad plight of the cotton industry itself is largely due to the 18d ratio. If the Government stopped adopting artificial measures to maintain it and allowed it to take its natural course, it would soon come down to its proper level and if the handicap of a 12½ per cent bounty to the foreign manufacturer which that ratio has placed upon the Indian industry were removed the Indian industry would recover its ground and prosper. But your Excellency's Government would not listen to such a suggestion.

#### SOLID BLOCK OF 40 MEMBERS

'Every time I think of the loss and suffering to which my people have been exposed by this measure which the Government forced upon them, I cannot but condemn the constitution which has placed the solid block of 40 official and nominated members in an Assembly of 140 at the beck and call of Government to support any measure they may decide upon. If this block did not exist, the Government would not be able to force any measure through the House unless it had the support of the majority of the elected representatives of the people. And along with the bulk of my fellow members of the Assembly, I have all along felt that the only remedy against the perpetration of such wrongs as I have referred to above lies in the official and nominated members ceasing to have any place in the Assembly and in the members of the Government becoming responsible to the elected representatives of the people, in other words, in Dominion Government being established in India.

#### THE ANNOUNCEMENT

'When in response to the request which some of us made to your Excellency, you made the Announcement of Oct 31 last on behalf of his Majesty's Government, it was widely welcomed in the country. That Announcement and the speech and replies to the questions which Mr. Wedgwood Benn made in connection with it raised high hopes in us that the great change which we desired was within sight. In the course of his speech in the House of Commons Mr. Wedgwood Benn also said that Dominion Status had been in action in India for ten years. In the Delhi manifesto in which a number of us expressed our hope of being able to offer our co-operation to the proposed Round Table Conference, one of our requests was that the Government should begin to so act as to show that Dominion Status had come into existence.

#### FINAL DECISION WITH LEGISLATURE

'A very important occasion arose to show this when the Government of India formulated their proposals of the year for protective taxation which gave preference to British goods. His Majesty's Government recognised that the fiscal autonomy convention applied to India. What that convention is, is clearly stated in the report of the Joint Select Committee, and light is thrown upon it by the Crewe Committee Report as well. Basing their opinion on the dictum of the Joint Select Committee, the Indian Fiscal Commission stated: 'We recognise that the question of imperial preference is one which can only be determined in accordance with Indian opinion and that the Indian view can be best ascertained by reference to the Council of State and the Legislative Assembly without whose free consent no such policy can be adopted. In the cablegram which your Excellency sent to his Majesty's Government in connection with the taxation proposals, your Government adopted the same correct attitude. You said: 'We desire also to make it clear that in a matter of this kind after frankly stating our case we should desire to solicit the most free expression of opinion from the Legislature with whom the final decision must rest. But when the Government came before the Assembly, the hon. the Commerce Member made a statement which had the effect of stifling a free expression of the opinion of the Assembly. He said that if any substantial change would be made in the proposals of Government, he would withdraw the Bill. This caused both surprise and resentment but instead of withdrawing the statement in answer to a question put to him, the hon. the Commerce Member specifically stated that if any of the four or five amendments of which I and my friends of the Nationalist Party had given notice was accepted by the House, the Government would find it impossible to proceed with the Bill.



## EXTRAORDINARY ATTITUDE

'In response to a request which I then made in that behalf the hon. the President expressed the opinion that the Government were not within their rights in taking up that attitude having regard to the terms of the convention and that a free vote of the House is essential in all measures under the convention. He further said: "In these circumstances and in the interests of the freedom of vote in this House and in either view of the convention, it is due to the House that the Government of India should even at this late stage reconsider their position and tell the House that they have an open mind and they have not finally decided and indeed could not decide without reference to the Secretary of State to drop the Bill in the event of the House amending their proposals in any manner. I hope they will realise on reflection, if indeed they have already not done so, that by the extraordinary attitude they have taken up they have denied the House an opportunity to convince them by arguments and persuasion, rendered the whole debate on this measure unreal and farcical and have violated the convention."

'But even after this clear opinion of the Chair your Excellency's Government refused to listen to reason. Your Government declared through the hon. Leader of the House that they had a very open mind while examining the various amendments which had been placed before them in the course of an informal discussion, but having come to that decision they were not prepared to depart from the attitude they had adopted in the matter after the fullest consideration of the merits of the various amendments which were placed before them. Having been present at two informal discussions, I am in a position to say that several of the amendments of which notice had been given had not been placed before the Government at those discussions and even if they had been that could not deprive any member of his right to convince the Government of the correctness of his view in the open Assembly. Nor was there any justification for the Government on a matter which they had placed before the Assembly for not keeping an open mind until all the amendments had been discussed in the Assembly, or for declaring their determination to adhere to their decision even if a majority of the House expressed a contrary opinion. By doing so, the Government practically coerced the members of the Assembly to accept their decision and invaded the right of expressing a free opinion and recording a free vote which have been guaranteed under the constitution. Such an attitude on the part of the Government of India is unprecedented in the history even of the Indian Legislature. It has given me a great shock; it has revealed to me more clearly than ever before that with the help of official and nominated block the Government of India as it is constituted can violate the fiscal autonomy convention, can abuse its power of initiating proposals for taxation and can impose at its sweet will and against the recorded vote of the non-official majority of the members of the Assembly, a burden upon consumers in India for the benefit of the manufacturers of another country which cannot for a moment be justified before any impartial tribunal in the world.

## ATROCIOUS WRONG

'I have, therefore, been driven to the conclusion that I must no longer by remaining a member of the Assembly continue to lend my support to a constitution under which so atrocious a wrong can be perpetrated upon my people. It will be my earnest and prayerful endeavour to devote all my time and effort to see that this system is replaced as early as possible by a system worthy of the name of Government. And I hope that for the sake of justice to the people of this great country and for your own reputation before the civilised nations of the world you and every fair-minded Britisher will honestly help us soon to establish the great change which under God's providence will restore to us the same freedom to manage our own affairs as you enjoy in your island home.

'In the end allow me to offer my most grateful thanks to your Excellency for the uniform kindness and courtesy which I have always received at your Excellency's hands. A remembrance of that kindness and courtesy deepens my regret that I should resign the membership of the Assembly while your Excellency is presiding over the Government of India, but my duty to my country as I conceive it compels me to do so.'

# The Council Of State

The winter session of the Council of State opened at New Delhi on the 17th. FEBRUARY, 1930 with Sir Henry Moncrieff-Smith in the chair. After sweating in of new members, Mr Russel presented the Railway estimates. Mr H J Haig (Home Secretary) then introduced two bills. The first was to amend the *Special Marriage Act of 1872*, making it obligatory on the parties to a marriage, if below the age of 21, to state before a registrar that the consent of the parents or guardians had been obtained for the marriage.

The other bill amends the *Prison Act of 1891* by which all prisoners up to 21 years of age will be treated as one class and separated into a number of groups now prescribed for prisoners under 18 years. The principal object of the amendment was to enable the jail authorities to segregate adolescents without at the same time dividing them into an unreasonable number of categories. The bill, when applied, will eliminate the necessity of forming separate classes between the ages of 18 and 21.

Sir Lancelot Graham (Law Secretary) introduced a bill amending certain enactments and repealing certain other enactments mostly of an unimportant nature.

## THE BOMB OUTRAGE

Lala Ram Sarandas then moved :—

'This Council gives expression to its strong feelings of abhorrence and detestation at the dastardly insensate attempt to wreck the Viceregal train near Delhi, and congratulates Lord and Lady Irwin and their party on their providential escape.'

Speaking on the resolution Lala Ram Sarandas said Lord Irwin had shown sympathy towards Indian aspirations and that such a Viceroy should have been the object of an attempt on his life was unimaginable. Lord Irwin had shown transparent honesty of purpose and goodwill to India and, like Lord Hardinge, viewed the recent outrage in the proper spirit and had not swerved from the political goal. Proceeding, the speaker remarked that the outrage of December 23 had proved the utter failure of the propaganda of non-violence and the necessity of Government preventing such occurrences in future.

Sir Mahomed Habibullah, Sardar Charanjit Singh, Sardar Uberoi, Sir Arthur Froom, Prince Akram Khan, Sir Sankaran Nair, Mr Khaparde, and Munshi Narain Prasad Asihana also supported the resolution, which was carried all standing.

The Secretary laid on the table bills which had received the assent of the Governor-General and also bills passed by the Legislative Assembly. The Council then adjourned to 19th.

## VICEREGAL ANNOUNCEMENT WELCOMED

19th. FEBRUARY:—On this day Sir Sankaran Nair moved :—"This Council recommends to the Governor-General in Council that he be pleased to convey to his Excellency the Viceroy and his Majesty's Government its thanks for the announcement of the 1st November that the natural issue of India's constitutional progress in the attainment of Dominion Status is implicit in the 1917 Declaration—that the goal of British policy in India is the progressive realisation of responsible Government as an integral part of the British Empire—and that before the stage of parliamentary committee is reached his Majesty's Government propose to invite representatives of the different parties and interests in British India as well as representatives of the Indian States to a conference for the purpose of seeking the greatest possible measure of agreement in regard both to British Indian and all Indian problems, so that it may be possible for them eventually to submit to Parliament such proposals on these grave issues as may command a wide measure of general assent."

Sir Sankaran at the commencement of his speech referred to the first part of the resolution, emphasising Lord Irwin's announcement that Dominion Status is implicit in the 1917 Declaration. The speaker welcomed it as a very vital step. By Dominion Status was meant, in the language of the Imperial Conference resolution, the

status of autonomous states within the British Empire, equal in status and in no way subordinate one to another in domestic or external affairs, though united by common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations. Lord Irwin's emphasis that this is the goal of the 1917 Declaration was supported by the declarations of the parties in the British Parliament. Mr Baldwin of the Conservatives had accepted this and Mr Lloyd George on behalf of the Liberals had accepted it. These would be found in the House of Commons debate of Nov 7 last. Mr Lloyd George in fact went so far as to point out that this declaration of 1917 was considered by the Imperial Conference to which all Dominions and India were parties. Sir Sankaran remarked: "So this may be taken as sacrosanct and not be interfered with in any way by a British Government." Referring to the necessity for this announcement of Lord Irwin Sir Sankaran Nair alluded to Sir Malcolm Hailey's interpretation in the Assembly on behalf of the Government that Dominion Status was higher than, and a final step beyond, responsible government. This interpretation was immediately impeached by the Indian popular leaders who regarded it as a breach of faith and demanded Dominion Status to be accepted as having been implied in the 1917 Declaration. This was not done by the British Government either in India or in England. What was the result? When the Simon Commission and the Central Committee toured throughout the country they were boycotted. The All-Parties Conference, however, produced a report in which pages were devoted to the refutation of the doctrine that responsible government did not include Dominion Status. Even then nothing was done by the Government of India. No wonder there was a fierce challenge at the Calcutta Congress for Dominion Status. The Government did not do anything even after the Calcutta Congress decision. The agitation was kept up long and at last as the result of Lord Irwin's mission to England last summer His Excellency announced that Dominion Status was implied in the Declaration of 1917. And at once the position in India entirely changed. Who was responsible for this change? It was Lord Irwin. For, as the proceedings of the House of Lords would show, Lord Reading was opposed to it and according to Mr Wedgwood Benn the Conservatives, the Liberals and the ex-Secretaries of State for India were all opposed to this being made, but in view of the altered circumstances they were induced to accept it. So, but for the moral courage and great conviction of Lord Irwin this change would not have happened in India. Proceeding, Sir Sankaran Nair referred to the proposed Round Table Conference and said that although this did affect the prestige and influence of the Simon Commission and his own Central Committee there was no doubt that the national demand was there and political circumstances required the holding of such a conference. Indeed he had already heard that the reports of his Central Committee and the Simon Commission might as well be burnt and these would be taken by the London Conference as one of the many evidences. But the situation demanded a pooling of all resources for constructive effort towards a solution for the whole of India including the Indian States. A general agreement was the need of the hour and although the horizon was menacing (as judged by reports of the independence movement), there was no doubt that destinies of India in the coming months were in the hands of statesmen. By passing this resolution the Council of State would be doing a bare duty by the country and would assure those statesmen that in their earnest effort for evolving a scheme of Dominion Status for India they had the support of the country and there should be no weakening of that effort. (Applause.)

#### A LIBERAL MEMBER'S AMENDMENT

*Munshi Naram Prasad Asthana* moved an amendment to the resolution which, after welcoming the Viceregal Announcement sought to represent to his Majesty's Government that Indian opinion would only be satisfied if Dominion Status was granted forthwith with proper safeguards and that at the proposed Round Table Conference representatives of the different parties and interests in British India as well as representatives of the Indian States be invited to discuss the necessary safeguards during the period of transition and evolve a scheme for Dominion Status in India.

Mr. Asthana said he had a twofold purpose in moving his amendment, one to bring out the essential points of the Viceregal Announcement and, secondly, to focus

opinion of the Council on the Round Table Conference. He felt the resolution did not clearly express the views of the House. British policy in India had always been prefaced with the words 'too late' and the economic bondage of the country had as its offshoots the independence movement and communism. He held that an atmosphere of peace and goodwill was essential for the success of the Round Table Conference which could only be brought about by the acceptance of his amendment by Government.

*Sir Mohammad Habibullah* said that both the Government and the mover were in agreement in their anxiety for a harmonious atmosphere for the success of the Round Table Conference, but the demands outlined in the amendment were precisely the subjects to be discussed by the Round Table Conference. He, therefore, advised the mover to withdraw his amendment.

#### A MUSLIM COMMUNALIST'S AMENDMENT

*Mr. Mahmood Suhrawardy* next moved his amendment which pointed out that Muslim opinion would only be satisfied if proper and adequate safeguards for Muslim rights, interests and religion were provided in the future constitution for India and, therefore, only such Muslims should be invited at the forthcoming Round Table Conference who truly reflected the Muslim opinion as expressed at the All-India Muslim Conference held in Delhi in 1928-29. He urged that Muslims should also be given equal representation or equal weight and voice with the representatives of other parties and interests adverse to them. He said that Muslims all over India welcomed the Viceregal announcement, but the passage of the Sarda Act had created misgivings in their minds and they were now convinced that only constitutional safeguards could adequately protect their religion, culture and language.

*Sir Muhammad Habibullah* quoted from the Viceroy's speech to the Muslim Federation in Bombay containing the assurance that the conference would be so composed as to include all the various interests, and asked Mr. Suhrawardy to withdraw the amendment. Sir Muhammad then welcomed the resolution on behalf of Government and described the Announcement of the Viceroy as epoch-making. It constituted a recognition of India's right to assist His Majesty's Government in determining the system of government under which she should live hereafter and, secondly, it enunciated the truth that no system of Government of India be complete which failed to provide for co-operation, in matters of common interest, between the political units known as British India and the Indian States. India's gratitude to the Viceroy and the Secretary of State, without whose united efforts the approval of His Majesty's Government to the statement of policy over which they rejoiced could never have been secured was, therefore, profound. The effect of the Announcement was instantaneous and far-reaching. The Princes welcomed it. The unfortunate controversies of the two preceding years were allayed, at least momentarily, with magical effectiveness. Despite the dissent of the Congress the first impressions of the Announcement tended to sink deeper. Rational opinion throughout India, regardless of community or sect, seemed conscious of the unfolding of a great opportunity and anxious to use it for national good. The baneful will o'-the-wisp of independence was a call to suffering for the seeker with no result but a disaster to the community. There was growing realization that independence not only involved strife with those with whom Indians ought to be friends but also economic and social chaos. The goal of Dominion Status was in a sense higher than the goal of independence. The world was moving in the direction of international co-operation. It was an ill-wind that sought to blow India away from the broad tranquil stream of ordered progress in line with friends, with whom Providence seemed to have linked her destiny, into some backwater of stagnation or bitter internecine strife. Wisdom lay in following those who like Sir Sankaran Nair sought to profit by the statesmanship which inspired the Viceroy's Announcement (Applause).

Sirdar Charanjit Singh and Rai Bahadur Ramsaran Das supported the motion and spoke disapprovingly of the Independence movement which would but spell disaster.

The resolution was carried without a dissentient voice. The house then adjourned.

#### Discussion of Railway Budget

**20th. FEBRUARY:**—The Council held general discussion on the railway budget on this day in which five members participated.

*Lalu Ramsaran Das* urged a conference of the different railway advisory committees once a year to discuss the general policy of railways. He also wished the recognition of the MacLagan Engineering College, Lahore, by the Railway Board for the purpose of recruitment. Lastly, he wanted more details of expenditure of the Railway Publicity department. He felt that the results had been so far disappointing as the department had not been able to show the expected returns in traffic.

*Mr. Deshachari* complained that the Indo-Burma project had been postponed indefinitely. He also urged a reduction of freights for agricultural produce for the encouragement of inter-provincial movements of commodities. He further brought to the notice of the Railway Board the claims of Indians in the Burma Railway services.

*Sri Jahangir Uyyari* complimented the railway administration on the continuity of progress all round. The present retardation, he held, was temporary and was due to world causes, such as trade depression, and economic and financial troubles abroad. Under the present circumstances, countries with abundant capital resources could carry on capital expenditure, but India, with her slender capital resources, had to adjust the means between the railways and industries. He urged concentration on the projects already in hand.

*Sir Arthur Froom* thought that India had her share of the world-wide trade depression. In addition to this, political unrest in India had brought about feelings of insecurity. Her credit had gone down in the world market as was evident from the higher rates of interest which the Government had to pay on the recent loan, and with this feeling of insecurity trade had suffered. Sir Arthur Froom justified the policy of withdrawals from the reserve by the Railway Board as he felt that the reserve had been created to serve a need in lean years. He pointedly enquired what were the intentions of the Government regarding the Bombay-Sind project.

*Munshi Naram Prasad Asthana* felt that too heavy an expenditure and no adequate security had resulted in a deficit in the current year's budget. Indianization, he held, had not been proceeding with as much rapidity as they all desired. Lastly, he urged that the management of the B. N. W. Railway should be taken up by the Government on the expiry of the present contract.

Sir George Rainy, replying on behalf of the Government, said that they could not expect a bumper budget every year. There was bound to be trade depression and lean years, but the reserve fund was created to tide over difficulties in lean years and they should not be despondent if the Government had resorted to withdrawals from the fund. Regarding the suggestion of recognition of the MacLagan Engineering College, Lahore, the Commerce Member said that there were certain difficulties in the way, but the proposal was under the consideration of the Government. Proceeding, he said that publicity was not a thing, the results of which could be judged within a short time. Publicity had been regarded as the best means of attracting traffic all over the world, and they were only falling in line with advanced countries. Referring to the Indo-Burma connection, Sir George Rainy said that Mr. Chari had failed to convince the Government that they would ever be able to afford funds for the Manipur scheme. As for the suggestion of reduction of freight on agricultural produce he stated that as soon as financial conditions permitted the Government would make a substantial reduction, but they could not treat agricultural commodities on a par with coal or manures because the latter helped in the creation of many other commodities and helped to promote traffic in goods. Sir George Rainy promised to look into the suggestion for consideration of the claims of Indians on the Burma Railways. Replying to Sir Arthur Froom, the Commerce Member said that the Government attached the greatest importance to the Bombay-Sind project and had under consideration the final estimates and surveys. He assured the Council that as soon as the finance permitted the Sind-Bombay project would be one of the first which the Government would undertake. He also stated that the question of taking over the B. N. W. Railway was under consideration, but there were obvious difficulties of finding purchase money, specially at a time when many important projects had been put over on account of financial stringency.

**24th. FEBRUARY.**—The Council passed five official Bills, two as passed by the Legislative Assembly and three as introduced in the Council.

Moving consideration of the *Indian Patents and Designs Bill*, Mr. Shillidy said that the object of the Bill was twofold, one to secure sufficient returns to the patentee and secondly, to limit the period of a patent as it was regarded as a sort of monopoly and therefore a tax on the public. The Bill he said had been drafted with these two considerations. The Council passed the Bill with certain formal amendments by Mr. Graham.

The Council next took up the *Dangerous Drugs Bill*. Mr. McWatters, moving consideration, paid a tribute to the local Government and said that the scope of the Bill was defined by the Geneva conventions. It dealt up the demarcation of functions between the central and the local Government and also made the penalties for offences more strict and more uniform.

The Council accepted the motion and passed the Bill.

The House also passed a *special Marriage Amendment Bill* which was moved by Mr. Haig as also a Bill to amend certain enactments and repeal certain enactments as moved by Mr. Haig.

Lastly, the Council passed a *Bill amending the Prisons Act*. Mr. Haig described the Bill as an administrative measure for the segregation of prisoners below the age of 21. The Bill amended the Prisons Act so that all prisoners upon the age of 21 be treated as one class and separated into a number of groups now prescribed for prisoners under the age of 18. The Council then adjourned till the 27th.

#### PROHIBITION OF IMPORT OF VIOLENT PRODUCTS

27th. FEBRUARY.—Mr. Surpat Singh moved a resolution urging the total prohibition of the importation of vegetable products. Municipalities, he said, had tried to check the evil but had not succeeded. It was generally felt that the evil should be checked at the source, which only the Government of India could do.

Sirdar Shivdev Singh moved a rider seeking to penalise adulteration. Mr. Asthana and Mr. Ramsatandas participated in the debate.

Mr. Woodhead, replying on behalf of the Government, felt that the only remedy lay in adopting measures on the model of the Punjab Pure Food Act and said that the Government would shortly address the local Governments on the subject. He did not agree that it was either wise or practicable to stop importation or penalise adulteration.

The Council rejected the motion by 20 votes to 7, and adjourned till the next day, the 28th, when Mr. Watters presented the *Budget for 1930-31*, after which it adjourned again till 4th March.

1th. MARCH.—The Council of State reassembled this morning to transact official business and on the motion of Mr. Shillidy adopted a *resolution on road development* consequent upon the recommendation of the Road Development Committee, after Mr. Desikachari had raised an objection to the exception which have been granted to Burma by which they were allowed to spend the amount available on any road development scheme approved by the local Government or the local Legislature till such time when the question of road connection with India became a live issue. Mr. Desikachari held that the fund was created for the development of inter-provincial roads and the exception granted to Burma was against the spirit of the recommendation of the Road Committee.

Mr. Shillidy explained that the Road Committee had recommended that funds be spent in the commencement on general road development and not necessarily on inter-provincial roads. Further the committee had recognised Burma as self-contained for purposes of road development and till the time that the question of connection with India became a live issue, expenditure on road development was to be left to the discretion of the local Government.

The Council next passed the *Transfer of Property Act Amending Bill* and the *Contract Act Amending Bill*.

Sir Arthur Froom, however, raised some objection to clause 25 of the *Sale of Goods Amending Bill*, which in his opinion had omitted to mention railway receipts as document of the right of property in goods. He held that the effect of the clause would be that a foreign seller would regard his right to terminate no sooner the goods were placed on rails.

Sir B. L. Mitter explained that the clause had been bodily copied from the English law and the exception provided in sub-clauses 2 and 3 did not make sub-clause 1 ineffective which would include railway receipts. The law as framed was perfectly clear and unambiguous to the lawyers but as the commercial

community was vitally interested in the enactment, he promised to look into the matter at the earliest opportunity and, if necessary, he would bring in an amending bill.

The Council passed the Bill and adjourned till March 6

### General Discussion of Budget

*6th. MARCH* —The Council held general discussion on this day. *Mr. Deshachari*, initiating the discussion, complimented the Finance Member for his remarkable skill in disarming suspicion and criticism. The non-official members of the Legislature, he thought, were in an awkward position. On the one side they felt the need for free taxation, while on the other they knew that taxation had already reached the breaking point.

*Sri Maneckji Dudabhai* remarked that the Budget was disconcerting and distressing, but it was of administrative, political and economic importance. He attributed the deficit to two causes, to the premature anxiety to help the provinces by the remission of provincial contributions against which he had warned the Government in previous years and to the reduction of salt duty to Rs. 1-4-0 per maund. If the salt duty had not been reduced thus, there would have been a clear gain of seven crores and no deficit or danger of deficits. He heartily concurred in the Government's proposal to impose a duty on imported cotton goods and was glad that Britain was out of the sphere of the additional 5 per cent. because India's competitor was not Lancashire but Japan and Italy. Politically also this duty was good, because it would enable India to show her friendship to Britain. He objected to the duty on kerosene oil as it was against the consumer's interests. He welcomed the re-imposition of a silver duty because it would appreciate the value of the silver hoarding of the people.

*Sir Arthur Froom* congratulated the Finance Member on meeting the essential additions for new services and demands amounting to Rs. 146 lakhs with an economy in civil estimates of Rs. 62 lakhs and the reduction of Rs. 80 lakhs in military expenditure. He felt that none would cavil at the relief of Rs. 30 lakhs afforded to the Burma rice trade. Sir Arthur felt that they could not extract anything more from military expenditure. The demands for retrenchment in the army were made from a sense of fancied security at the Frontier from which they would be rudely awakened if ever the watchful forces were reduced. He thought it unwise to reduce the number of troops kept for internal security at a time when seditious preachings and Communist propaganda were rife in the country. As a Bombay representative he supported the increase in the import duty on piecegoods and reminded critics of Imperial Preference that it was a Labour and not a Capitalistic Conservative Government which had fought for exemption. In conclusion he told the House of his impending departure from India and said the future prosperity and well-being of India lay mainly in her credit in the world's financial circles. The credit which for decades stood highly recently received a severe shaking by wild words such as repudiation of debt, and non-payment of taxes recently uttered. A feeling of insecurity had arisen and money, which had hitherto been invested in India's funds, had been pouring out of the country. It was the duty of members of the House and also of every right-minded patriotic Indian to see that this state of things did not continue.

"It is not yet too late but once India's credit is shaken to its foundations, her economical and industrial collapse will surely follow." (Applause).

*Sir William Buxton*, defending the present scale of expenditure in the army, said that there were still members, both here and other places, who believed that the Government were not following the Incheape Committee's recommendation. That committee had recommended "Should there be a fall in prices, then it might be possible, after a few years, to reduce the military budget to a sum not exceeding Rs. 50, 00, 00, 000, although Lord Rawlinson does not subscribe to it."

Since that recommendation was made a mechanisation programme had been coming into effect, costing several lakhs of rupees.

A crore of rupees out of the army budget was returning to the Government in the shape of customs duty and income-tax, and there was a sum of Rs. 180 lakhs also coming to the general revenue for services rendered such as mechanical transport charges and postal and telegraph rates. These figures would show that the army had now to meet very large charges which in previous years were not met from the army budget. The total sum spent on stores of all kinds was ten crores out of the budget and obviously it was impossible to make a reduction of seven crores in order to bring down the total figure to Rs. 50 crores, so repeatedly referred to by members, without taking into consideration what the Incheape

Committee had in mind. But even here there had been a small reduction. Thus it would be seen that despite the extra charges due to mechanisation, and despite no great reduction in the charges for supplies, expenditure on the army had been progressively reduced from 65.26 to 51.35 in the present year and there would be a further substantial reduction as time went on. This was not a huge figure compared to the figure of military expenditure in France, Germany, Italy, Russia and the United States. Government had made provision for re-equipment necessitated by the Inchcape Committee recommendation and by the growth of mechanisation and the result would surely be that the army in India would be in a more efficient stage for mobilisation than ever before. In regard to the mechanisation scheme also every attempt was being made to reduce the charges. Sir William Birdwood disputed the statement that the recommendations of the Skeen Committee had not been given effect to altogether, and pointed out that every recommendation had been put into effect except the creation of an Indian Sandhurst and the abolition of the Eight Unit Scheme. The former was recommended to be established only in 1933. Government did not feel confident that the Cadets coming forward for an Indian Sandhurst could be relied upon for being sufficient, either in quality or in quantity, to justify Government undertaking the heavy expenditure involved in the immediate creation of a Sandhurst in India. His Excellency next justified the continuance of the Eight Unit Scheme on the ground that the results of Indianisation were better judged by concentrating Indian officers in select units than by spreading them out in various units all over the country.

**10th. MARCH**—The Council disposed of a number of official measures in a fifty minutes sitting, the non-officials not participating excepting once, when Sir Arthur Froom, by way of a query, suggested to the Finance Secretary the advisability of consolidating the Income-tax Law on which many amending Bills had been passed during the recent years.

The House accepted the motion of Mr. Shuldham authorising the Government to examine the possibility of giving effect to the recommendation of the International Labour Conference concerning the prevention of industrial accidents and place the results of the examination before the Council within eighteen months. The Industries Department Secretary explained the recommendations of the Conference and said that local Governments, organisations of employers and insurance societies should be consulted. As for the other recommendation of the Conference which concerned the responsibility for protection of power-driven machinery he pointed out that the Government of India largely anticipated this as they provided this in the Boiler Act, the Factories Act and the Mines Regulations.

#### INCOME TAX AMENDING BILL

Contrary to expectations, there was no discussion even on Sir Arthur Mac Watters' motion relating to the consideration and passage of the Income-tax Bill providing against evasion of payment of income-tax and super-tax by formation or multiplication of one into many companies or associations. The Finance Secretary made it clear that instructions would be issued to income-tax officers to administer the law in spirit.

The Income-tax Second Amendment Bill, which he stated was in the interests of assesses, was also passed. Regarding both the Income-tax Bills, drafting amendments were moved by Sir L. Graham, Law Secretary, which were accepted.

Sir L. Graham introduced the *Bill amending the Transfer of Property Act* and Sir Mahomed Habibullah introduced the *Bill amending the Insects and Pests Act*.

#### PREVENTION OF SLUMP IN GOVERNMENT SECURITIES

**11th. MARCH**—In an hour and a half's sitting, the Council dealt with a resolution moved by Mr. Surpat Singh which was accepted with an amendment moved by Sir Jehangir Coyajee. The resolution urged the Government to take measures to prevent any further slump in Government securities. The amendment of Sir Jehangir Coyajee which found favour at the hands of non-officials and Government was that in shaping their financial policy the Government should give due weight to the importance of keeping the credit of the Government of India on a high level and of maintaining stability in the market for Government securities.

Mr. Surpat Singh reviewed the history of Governments securities and particularly referred to the observations of Sir Malcolm Hailey as the Finance Member urging in the Assembly in 1921 the necessity of reducing the floating debt to more manageable proportions. He also alluded to the reverse in the currency policy and said



that the financial situation in India by 1920 was that the trade balance was against India to the extent of thirty crores. This unfavourable trade since then continued annually. He complained that Indian currency had been managed in the interests of British trade and remarked that India was the only country in which Government exercised direct control over the currency in general. Every new debt incurred meant further interest charges and yet in the current year there was the proposal to raise 23 crores. Treasury Bills were sold in utter disregard of the conditions of money market and all money markets were denuded of surplus cash. Thus securities began to dwindle, and Mr. Surpat Singh urged the Government to restrict borrowings whether at home or abroad and cry halt to their borrowing tendency and give a respite to the country and set her own house in order as otherwise the conditions of investors would become worse.

*Sri Jehangir Cojaee* moving the amendment gave scholarly dissertation on the subject and emphasised that since 1927 there had been no change in the financial policy and said that but for the skill shown in raising the last loan of short maturity, there might have been very serious effects on the prices of gilt-edged securities, for the effect of talk of repudiation of debts on the investing public could not be ignored. The main reason for the financial troubles here as in America and other parts of the world was shortage of capital and shortage of money. In India there was an important section of opinion which held that all troubles about the fall of security lay in the contraction of currency. If it was really so and if inflation and copious supply of money were able to keep up the price of securities, how was it that in 1920-21 which saw the maximum of inflation of currency in India also witnessed the lowest prices in Government securities? Therefore, the factors were world causes, prevalence of propaganda hostile to national trade and rise in the bank rate.

*Lala Ramsaran Das* asked why the Government forced up the bank rate of late. He did not attach much practical value to the resolution of the Lahore Congress repudiating debts, for the position of a sound Government was not judged by stray talks like this. He attributed the present position to Government's currency and exchange policy and said that they must stabilise the price of Government securities and the so-called gilt-edged securities, for, people who invested their money in silver had lost even as people who invested in Government securities. Really speaking, the people in rural areas had no faith in the safety of Government investments.

*Sir Arthur Mc Watters*, Finance Secretary, accepted the amendment because the resolution, worded as it was was misleading. He pointed out that comparing the position of Government securities as it was in 1923 with to-day the price had risen by ten annas. The Government did not want a spectacular jump in prices but a steady rise in prices. As the Finance Member had pointed out, the Government were trying to exclude any expenditure of non-essential or non-productive character and they had put a break in capital expenditure especially as they wished to see the results of the recent rehabilitation programme on Railways.

*Sir Arthur Mc Watters* agreed that the Government should restrict borrowings but it was essential that they must meet the bonds that would mature this year. Only seven crores were freshly needed this year. The Government had done their best in putting up the value of the securities by provision for a sinking fund which next year would be well over eight crores. Indeed, since the publication of the Budget, there had been a substantial appreciation of securities.

Mr. Surpat Singh accepted the amendment as meeting his point, after which the Council adjourned.

**12th MARCH** —The Council had a sitting of a little over an hour and disposed of four bills without opposition, the first two of which had been passed by the Assembly. One related to the *amendment of the Cantonments House Accommodation Act, 1923*, which was moved by the Commander-in-Chief in the House and was passed. The other related to the *amendment of law relating to insolvency* which, on the motion of Sir Lancelot Graham, was passed.

The House then passed the Bill moved by Sir Mohamad Habibullah to *amend the Destructive Insects and Pests Act 1914*.

Lastly, Sir Lancelot Graham's Bill to *amend the Transfer of Property (Amendment) Supplementary Act 1928* was also passed. The House then adjourned to 18th.

**18th. MARCH** :—One non-official resolution and two Bills figured on the agenda of the Council which reassembled on this day after the Holī. *Sri Ebrahim Haroon Jaffer* moved a resolution asking for an enquiry into the advisability of compulsory

vaccination or re-vaccination as a general rule in India and for action to be taken accordingly. After he had spoken for three-quarters of an hour, the motion was rejected unanimously without discussion on the Government replying to it.

Mr Surput Singh was next allowed to introduce a *Bill to amend the Sarda Act*.

#### STEAM NAVIGATION AMENDMENT BILL

Mr. Deshmukh moved for the consideration of the Bill to amend the Indian Steam Navigation Act which had been introduced by Mr Neogy and passed by the Assembly. Mr Chaur said that the object of the Bill was to give free play to all without injury to any and to foster and encourage indigenous companies.

Sr. Maneckji Dadabhai in a fighting speech criticised the Government for accepting a most dangerous principle of interference with private enterprise which underlay the Bill. Once the principle was accepted, there would be no end of mischief. The Government might introduce a similar measure tomorrow in respect of cotton goods and kerosene. The State, he said, could not be an arbitrator between the consumer and producer. He felt sorry for the Government if they had accepted the Bill in order to pacify some boisterous people and they were gravely mistaken if they felt that the measure was going to benefit the country. The revolutionary movement and the weakness of the Government had already led Indian capital to migrate to foreign lands and the adoption of a policy of interference with private enterprise would further retard the progress of the industrialisation of the country. Concluding Sir Maneckji said if any other civilised Government had taken a similar step it would go out of power within 24 hours.

Mr. A. B. Harper submitted that no case had been made out for the Bill as far as Burma was concerned. In Burma there was ample competition with craft of all description and there had never been any agitation or sustained complaints against the rates charged by the steamer companies which, he said, were the butt of the Bill. The speaker maintained that in no other case had the Government accepted or practised a policy of interference by legislation with concerns which were neither public utility companies nor monopolies. He pointed to the suspicion of racial discrimination as evidenced by the speeches of the supporters of the Bill and wanted the Government to assure them that there was nothing racial behind the Bill and once the policy underlying the Bill had been accepted by the Government it would be confined to the river steamers only.

Mr. Ramaswamy Mudaliar, in a remarkable maiden speech, said that the principle of the Bill was not to fix the maxima or minima of rates but to prevent unfair competition, with the ultimate object of safeguarding the consumer's interest. It did not interfere with private enterprise but regulated it in public interests. The Bill was based on the same principle as the bounty to steel or protection to cotton goods. The speaker regretted that scare-mongers had started the bogey of the resolution and the thoughtless resolution of the Lahore Congress had been exploited.

He wished Sir Maneckji Dadabhai's virtuous indignation against the Government would be shown on another occasion when popular opinion was behind the hon. member. Sir Maneckji had stated that no European country would have allowed such legislation and that the Cabinet would have been dismissed if they had brought such a measure. He wondered if the member had heard of Acts for the reservation of coastal traffic passed by various countries. Holland, Belgium, Denmark and even England had such measures protecting their national industry and gave them up only when they were safe on their feet. On the contrary, he asked whether there was any country where inland steam navigation was not protected for the nationals. Sir Maneckji had opposed the measure in the interest of the consumer, but the speaker wondered whether the Nagpur knight would repeat that argument when the Tariff Bill would come up before the House. He had stated that he had no interest in any shipping industry. Probably that explained his curious attitude on this matter. Mr. Mudaliar, adverting to Mr. Harper's argument, expressed pain at the fact that a European member had opposed even this small measure when it had been accepted by his own colleagues in the Assembly. The opposition would create a most painful impression in the country and if it was not abandoned it would remove what little chance there was of solving the problem of the Coastal Reservation Bill amicably.

Mr. Woodhead, on behalf of the Government, stated that after two European members of the Assembly had signed the report of the select committee, the Government did not expect any opposition from that quarter. The speaker could not see how the measure was regarded as interfering with private enterprise. If that

was so, factory legislation, customs and fixing the maxima and minima or motor-buses would be equally regarded as State interference. The Government never unnecessarily interfered with private enterprise, but they sometimes had to do it in public interest. Mr. Woodhead said it was in the public interest to prevent a rate war or an unfair competition. Similarly it was in the public interest to prevent monopolies. He admitted that for the present there was no monopoly in the case of inland steamer companies but the Government felt that there was qualified monopoly and this was why they had accepted the Bill. The speaker assured the House that there was no racial discrimination behind the Bill nor was there any reservation for any community. In conclusion Mr. Woodhead cited the case of America, where the Shipping Board controlled the rates and fares.

Lala Ram Saran Das quoted the Punjab Land Alienation Act and the Regulation of Accounts Act as instances of interference with private enterprise.

After Mr. Chauri had replied to the debate the Council divided and accepted the motion for consideration of the Bill by 31 votes to three. Sir Arthur Froom, Mr. Fife and Mr. Harper voting against the measure.

At the third reading of the Bill Sir Arthur Froom felt surprised that in spite of the local Governments' opposition to the Bill the Government of India had accepted it. He thought it was a farce when the official members from the provinces who were opposed to the Bill had voted for the measure in the Council. He wished the Government to note that all the three representatives of European commerce had voted against the measure. He also warned the Government that they were courting trouble for them by accepting the Bill.

The Council then passed the Bill and was adjourned till the next day.

**19th MARCH** —On this day the Council transacted official business. Mr. Woodhead, Commerce Secretary, moved for consideration of the *Indian Tariff Act Amendment Bill*. The Bill, he said, made minor changes in the Tariff Schedule, the most important of which related to the abolition of the 15 per cent duty on barks as it was regarded a raw material of an important industry. The Bill next proposed to raise the duty of Rs 5 per pound on substances from which saccharine could readily be made. Lastly, it proposed to make all domestic refrigerators liable to a duty at a general rate of 15 per cent *ad valorem*. The Council passed the Bill as passed by the Legislative Assembly.

On the motion of Sir Arthur Mc Watters, the House passed the *Indian Income-tax Amendment Bill*, as passed by the Assembly, after the Finance Secretary had explained that the Bill was the outcome of a ruling of the Madras High Court and proposed to amend the law so as to permit the deduction of such payments from the employer's income as business expenses.

The Council next passed the *Railway Act Amendment Bill*, also passed by the Assembly, after Mr. Hayman had told the House that the time had now come to institute measures for giving effect to the statutory obligation incurred by the ratification of the Geneva and Washington Conventions and the first step in that direction was to create a competent authority which would specify branches of Railway work and frame other rules for the purpose. The Bill empowered the Government to regulate the hours of work and the periods of rest of Railway servants other than those working in factories and mines.

The House on the motion of Mr. Woodhead, passed the *Steel Protection Bill* after which it adjourned.

#### PROPOSAL FOR ISSUING VERNACULAR EDITIONS

**20th. MARCH** —Two resolutions and a Bill, all of considerable interest, were disposed of by the Council of State on this day.

Sir Ebrahim Jaffer moved a resolution recommending the publication of abridged vernacular editions of the annual summary of "India's Progress" written by the Director of Public Information, in the leading vernaculars of the country and for their sale at as low a price as possible. Such a scheme of things, said the mover, was pregnant with many advantages to the Government as well as to the large body of the Indian public who did not know English.

The Home Secretary, on behalf of the Government, welcomed the suggestion and promised prompt enquiry as to the feasibility of undertaking the mover's suggestion, from financial and other points of view, and said that the Government of India would consult the Local Governments as to their sharing the burden of the expense that the publication of the vernacular translations of the annual summary of "India's Progress" would entail.

SH Ebrahīm withdrew the resolution, in view of the Government's assurance

#### EXPORT OF CARILF MEAT

The House then agreed to the introduction of the Bill by Mr Surpat Singh for prohibiting the export trade in cattle meat

#### THE ROUND-TABLE CONFERENCE

Mr. A. Ramaswami Mudaliar moving his resolution, that the Round-Table Conference be convened as early as possible and in no case later than October this year, said that the Conference offer as embodied in the Viceroy's historic pronouncement of October 31st, had the support of all shades of public opinion in the country but the Government's dilatoriness in the matter of the actual appointment of that Conference and not giving an indication as to the probable time of its appointment had caused reasonable suspicion and alarm in the public mind. He strongly pleaded for the early materialisation of the Conference offer, especially in view of recent developments towards a civil disobedience campaign. He maintained that an early announcement as to the precise date of the Conference would serve as a counter-attraction and would bring hope to those who were despaired of British promises and constitutional methods of advancement.

Continuing, Mr. Ramaswami Mudaliar said that he did not subscribe to the view that settlement of communal differences was a condition precedent to the appointment of the Round-Table Conference. Rather, he believed that the difference would automatically disappear or be patched up as soon as representatives met in the different atmosphere in London.

Continuing, Mr. A. Ramaswami Mudaliar said that he agreed with Mr. Gokhale that India's connection with Britain was a providential dispensation, and so far as the speaker could look ahead, he hoped that the connection would be an advantage. He continued: "I am one of those who believe in constitutional advance and in advancing from precedent to precedent, with the co-operation of Indians and Europeans to the goal of self-government."

The speaker said that reading from the debate congratulating the Viceroy on his Announcement, he gathered the impression that the House would like the Conference to be held. The reforms that would follow should occur during the term of His Excellency the Viceroy, for the personal magnetism of the Viceroy would be a valuable asset and guide to them. He felt strongly that if the Round Table Conference was held without delay, there would be time to look back with satisfaction, and say, after all, that they had contributed a great deal to allaying the political atmosphere in the country. India stood to-day expectant at the bar of the future and he hoped that those who controlled the fortunes of the British Empire, would think well and unwisely, and adopt the course outlined in his resolution.

#### MR. KHAPARDE'S AMENDMENT

Mr. Khaparde moved an amendment for deleting the words "Not later than 30th October 1930." He urged them to let Providence guide them in the matter, because too much solicitude might spoil a good thing. He perceived a dictatorial touch in the resolution and wished the matter to be left entirely to the wisdom of the Viceroy who knew the entire situation. The speaker did not feel that the Round Table Conference would be anything like a court of revision.

Sir Arthur Froom said that it was easy for the politicians or the so-called politicians to turn the tub upside down, get on it and shut down the Government. The speaker supported Mr. Khaparde's amendment as the language of the resolution indicated that, if owing to any calamitous circumstances, the Conference was not held in October but November, then, according to the resolution, the House could not participate therein.

Sr. Shivdev Singh Uberoi, who was a member of the Central Committee, warned the House that Mr. Gandhi's movement was gaining ground. The cry of "Long Live Revolution" by the Lahore Law College students, when the Governor visited the College, was another symptom and he pleaded for the immediate announcement of the date as otherwise the hands of those who called the Conference a hoax, might be strengthened. He supported the resolution as the British climate after October could not be faced by Indians.

Mr. T. R. Ramachandra Aiyar held that the Conference would be a farce so long as Mr. Gandhi, representing the most influential and numerous party, was not pacified.

Mr. Narayan Rao supported the resolution as nothing short of Dominion Status would allay the feelings of bitterness and distress which found constant expression in the Assembly.

Lala Ramsarindas stood for the original resolution, and held that if some date was announced the progress of hostile movements might be checked. Otherwise an unfavourable atmosphere would be constantly created against the Conference.

Mr. Haig, the Home Secretary, in a conciliatory speech, appealed to the House to have a unanimous resolution passed on the subject by accepting Mr. Khaparde's amendment. He said: "What matters after all in questions like these is the spirit and it seems to me it will be dangerous for any one to tie themselves to any particular date. I am sure this Council shares the confidence expressed by Mr. Khaparde in the wise guidance of His Excellency in this matter whose desire is to see that the policy with which he is closely associated, is brought to a successful conclusion. I have been struck to-day by the tone of genuine support for the Conference which has been expressed through the Council, and the great expectations we all place upon its successful end. We look with confidence, and hope that the Conference will bring about in India that peace which the country so clearly needs." (Applause.)

Continuing Mr. Haig recalled the Viceroy's words in his speech to the Assembly inviting the views of the members of the Legislature regarding the suitable date. The debate in the Council will be therefore most valuable. There is an undercurrent of feeling in the speeches of some members that the Government are not anxious that the Conference should be held at an early date. There is no foundation for such a feeling (applause). The Government's attitude can be stated very simply. The resolution, as amended, represents precisely their view, that the Conference should be convened as early as possible subject always to practical necessity of the situation. For instance, the Simon Commission's report is expected soon after the Easter, and after the publication, reasonable time will be needed to study the complicated questions with which the report deals. The matter is of such enormous importance to the future of India that we should not permit natural impatience to arrive at a conclusion to affect the chances of our arriving at the right conclusion. Practical thinking has to be done. A most earnest attempt must be made to reconcile the divergent interests and aims and it would be a pity if these efforts were in any way handicapped by trying to do things quickly. When His Excellency said that a reasonable time must be allowed, there is no question of unreasonable delay.

The Imperial Conference will be held in the autumn of this year. His Majesty's Government, who are convening the Indian Conference, will have to adjust their timetable, but they desire to hold the Indian Conference as early as possible, and so far as they are concerned, they will interpose no avoidable delay. I trust, therefore, if no unforeseen circumstances intervene, the wishes of the Council, that the Conference should be held as early as possible, will in practice be fulfilled. Copies of the debate will be forwarded to the Secretary of State, so that he may be acquainted with the interesting views expressed in the Council to-day. (Applause.)

Mr. Ramaswami Mudaliar, replying to the debate, thanked the House for the unanimous response and accepted the very reasonable suggestion of Mr. Haig. But while agreeing to Mr. Khaparde's amendment, he did not subscribe to the reasons advanced by Mr. Khaparde in support of his amendment. He felt that Mr. Khaparde misrepresented the scope of the resolution while Sir Arthur Froom has also misrepresented it. The speaker informed Sir Arthur Froom that so far as South India was concerned, there were parties which got on a tub and shouted up to the Government, but their invariable experience was that the Government never responded to them in time, but threw them to the wolves. In the present case he acknowledged that Mr. Haig's response was welcome. The speaker emphasised that time was the very essence of the Conference which, if not held this year, would be still-born. The speaker's very reason for asking for an early conference was to enable it to discuss the constitutional problem and reduce reforms which alone would bring peace to the country.

The amended resolution was passed unanimously after which the House adjourned.

#### Debate on the Finance Bill

25th. & 27th. MARCH:—The Council held a short 25 minutes' sitting on this day when the Finance Bill was laid on the table. On the suggestion of the Finance Secretary the President adjourned the House till 27th. when the Council met to discuss the Finance Bill. Sir A. O. McWatters moved the consideration of the Bill and after explaining the various provisions of the Bill appealed to the Council to pass the

measure as adopted by the Assembly. He said that difficult times were ahead everywhere, and they in India should shape themselves to fit in with the future. He also expressed his regret, on behalf of Sir George Schuster, who was busy in the Assembly and could not be present in the Council.

Lala Ramsarandas, opening the discussion, felt that Government had underestimated their income. He urged that the proposals for enhanced income-tax and super-tax and the silver duty should be withdrawn.

Mr. T. Lakshminarain felt that the time was inopportune for imposing extra taxation, and while welcoming the extra duties on piecegoods and sugar, he said that he had a mandate from his constituency to oppose the extra income-tax and super-tax proposals.

Major Akbar Khan justified the salt-tax and supported the extra taxation with the exception of the enhanced income-tax rates and duty on piecegoods.

Sir Jehangir Coyaji justified the wisdom of extra taxation, which was needed not only to meet the deficit but also in order to explore fresh sources of revenue.

Alluding to the silver duty, the speaker held that the Government policy was misunderstood. The policy had an economic background in the sales and duty on silver. Examining the policy in detail Sir Jehangir Coyaji said that on the supply side there had been a great increase in the production of white metal, and on the demand side, most countries of the world had been demonetising silver. Under those circumstances, India could not be a dumping ground for that metal. The only sound and cautious national policy, therefore, was to restrict imports by a duty and continue the sales. Sir Jehangir Coyaji said that though silver had been so far treated as a store of value, but it was like a bank which would soon close down. The earlier the people transferred their savings to commercial banks the better for them and the country. The speaker also welcomed the sugar duty in the interest of the country.

Sir Maneckji Dadabhoy charged the Government with going back on Sir Basil Blackett's promise in 1922 that taxation would not be enhanced but would be reduced. The speaker said that the justification for extra taxation lay in the Reforms, and they did not know what extra expenditure the Simon Report would bring about. Further, in the interests of the country, the Government should leave a safe margin between their income and expenditure.

Referring to the proposals for fresh taxation, Sir Maneckji Dadabhoy said he opposed all export duties, which were detrimental to the interests of an agricultural country like India. The speaker also felt that a small cess would have helped the sugar industry much more than an enhancement of the duty, and urged a bloc grant of Rs. 10 lakhs for the development of the industry.

Sir Maneckji vehemently opposed the enhancement of the income tax rates and maintained that the policy of the Government would fritter away the savings of the country. As regards the silver duty, he said that he would bring in a resolution to discuss the whole question, and though he was glad that the Government regarded silver as a commodity he doubted if the duty would be ultimately to the interests of the country. In conclusion, Sir Dadabhoy said that although he opposed the Bill he had no alternative but to support it not only because the Government were in a difficult position but because he had the financial reputation of India nearest to his heart. He also expressed his strongest disapproval of the attacks made in the Assembly on the Commander-in-Chief, who, the speaker said, was loved by the soldiers and respected by all sections of the people. He regretted these attacks as most reprehensible. (Cheers.)

Mr. Ramakrishna Iyer, criticising the policy of fresh taxation, referred to the Sarda Act and said he did not know why they should live under a Government who did not respect the sanctity of their religion.

Sir, A. C. McWatters, winding up the debate, said that he was glad that none was opposed to the consideration of the Bill. Referring to the remarks of Lala Ramsaran Das, the Finance Secretary said that their estimates were the safest. Sir A. C. McWatters told Sir Maneckji Dadabhoy that the times had considerably changed since 1922 and regretted that the hopes entertained by Sir Basil Blackett had not been realised.

#### AMENDMENTS ON SALT DUTY REJECTED.

The Council allowed the Bill to be taken into consideration and rejected two amendments of Mr. Surpat Singh for the abolition of the salt duty and for the removal of the import duty on salt.

## EXCISE DUTY ON KEROSENE

Speaking on the excise duty on kerosene Mr. Harpar felt dissatisfied that a policy of 25 years standing had been altered without assigning any reason for it. The budget proposals he said, put a premium on inefficiency and gave protection to the cotton industry while it withdrew what little protection there was from the oil industry. The result of the change was that the consumer would have to pay higher prices. He asked the Government not to try the patience of the oil industry for they on their part would either change the policy of producing cheap yellow oil or give up producing oil altogether.

Mr. Woodhead replying on behalf of the Government made it clear at the outset that the Government had no animosity towards any oil company, and the present re-adjustment between the excise and import duties was a purely revenue measure to bring down the prices. Mr. Woodhead said that the Government, under the law, had sufficient powers to assist the small companies if there was any need. As for referring the case to the Tariff Board, it rested with the small companies to make out a case for it. So far no case had been made out that the proposed tariff change would hit the small companies.

## REDUCED POSTAGE RATES REJECTED

The Council then passed all clauses of the Bill, and after rejecting the amendments of Lala Ramsaran Das and Mr. Surpat Singh for half anna postage for envelopes and quarter-anna postcard, adopted schedules I and II.

## INCOME-TAX AND UNDIVIDED HINDU FAMILIES

The Council also rejected the amendment of Mr. Surpat Singh exempting undivided Hindu families from paying income-tax on incomes below Rs. 3000.

By 5 p.m. the House rejected all the amendments of Lala Ramsaran Das and Mr. Surpat Singh in regard to income-tax and super-tax when Sir A. C. McWatters moved the third reading of the Bill.

Sir Arthur Froom entered his warning to the Government to take a lesson from the taxation in the United Kingdom where income-tax had adversely affected the industry and resulted in unemployment. He also reminded the Government of the promise of Sir Basil Blackett for the abolition of the tax on companies at the earliest opportunity.

Mr. Surpat Singh opposed the passage of the Bill.

The Council however, passed the Bill as passed by the Legislative Assembly.

## The Tariff Bill.

*1st, APRIL.*—The Council held a 20 minutes' sitting on this day. The *Cotton Tariff Bill*, the *Silver Freize Duty Bill* and the *Compuntes Bill* which were passed by the Assembly yesterday were placed on the table of the House. At the request of Mr. Woodhead and Sir A. C. McWatters, the President waved the limit of three days for taking into consideration the Bills and fixed April 3 for the consideration and passing of all the three Bills, for which date he adjourned the Council.

*3rd, APRIL.*—The Council held the last sitting of the session to pass the Cotton Tariff Bill as passed by the Assembly.

Mr. Woodhead, Commerce Secretary, speaking on the Bill summarised the case of the Government on the subject on the lines of Sir George Rany's speech in the Assembly. The bill he said, was aimed at preserving an important section of the Cotton Industry in India. While the Government was prepared to do its best to help the millowners with suggestions, the responsibility for working out the scheme to establish the industry on a firm basis must rest on the millowners' shoulders and could not be transferred to other shoulders. They wanted to give Bombay a chance to re-organise the industry so that the prospects of success or failure of the industry could be more definitely assessed. He said that if the labour conditions in China improved the question of cotton yarn duties would be re-considered but till then the special duties must continue. He assured the House that while the Bill involved preference to British goods, it did not mean imperial preference because British preference was incidental to the fundamental scheme of protection of the Indian mill industry.

Lala Ramsaran Das said he was not opposed to Imperial preference, but he was under the impression that the Fiscal Autonomy Convention was a reality.

Sir George Rainy's speech in the Assembly showed it was a negation of autonomy. Any preference to be given must be at the absolute discretion of the Legislature. He disapproved of Sir George Rainy's declaration in the Assembly that he would withdraw the Bill if any changes were made by the Opposition. This was against the letter and spirit of the Joint Parliamentary Committee's report. Bombay wanted a 20 per cent duty whereas the Government proposal was quite different.

Sir Jehangir Coyajee said the House did not accept any policy of Imperial preference by agreeing to the present measure. Whenever differential duties were imposed there was a suspicion of preferential treatment. A differential duty was a natural corollary to the arguments used by the Bombay Millowners' Association before the Tariff Board. They virtually demanded preferential treatment against Japan. If Lancashire regained her former dominant position, she would not request the continuance of the present duty. That would be an acid test that it was not Imperial preference but discriminating protection. Concluding Sir Jehangir said that rough calculations had shown that Rs 2 crores went into the pockets of Lancashire at the expense of the Indian consumer. This was not correct because Lancashire could not afford to raise prices. Her export policy on the other hand was based on the principle of lowering prices and increasing exports.

Sir George Rainy said that Sir Jehangir Coyajee had effectively replied to the criticism that the Bill was in the interest of Lancashire. On the other hand Lancashire would be a great deal worse off than now owing to the 15 per cent. revenue duty. The Commerce Member took the opportunity to explain the Government position and to elaborate certain points which were not fully elaborated in the Assembly. He said with regard to the reference made during the debate to the Fiscal Autonomy Convention and the Crewe Committee's report that the committee was dealing with the question of the circumstances under which the Secretary of State could advise His Majesty to disallow any act of the Indian Legislature and then it was laid down that in case a Bill had received the support of the majority of non-officials in the Assembly, it would not be right to advise His Majesty to disallow the Act. The circumstances of this case were quite different. The Government of India had done their best to ascertain the Indian opinion and, as a result of such consultation, had agreed to make a substantial change to provide against Lancashire recapturing the market in plain grey goods which Japan might vacate. The Commerce Member pointed out that in every constitution based on British model this dilemma presented itself, namely, whether to accept the Government's financial proposals, or take the risk of changing the Government. The only difference here was that the Government could not be changed. He did not admit that the Government by taking up the attitude it did, deprived the House of its free vote in the Assembly. If that were so, under no constitution could the Legislature decide an issue by a free vote, because the Government must make it clear the extent to which it was prepared to accommodate the views of the House and, thereafter, the House must take the risk of changing the Government.

The Bill was then *taken into consideration*.

Mr. Surpat Singh moved an amendment identical to that moved by Pandit Malaviya in the Assembly.

Lala Ram Saran Das supported it as he did not want the mill industry to be protected at the sacrifice of fiscal autonomy, especially when by pushing up the exchange to 18d the Government had already given indirect protection to Lancashire enabling them to sell their goods more cheaply.

Sir Jehangir Coyajee denied emphatically that the exchange or the currency policy were factors which contributed to conditions making the protection of the mill industry necessary. He asked if the exchange rate was so adverse, how production in India and exports of yarn had made a new record?

Mr. Ram Saran Das: Were they making profits?

Sir Jehangir Coyajee: We are dealing with a period of depression.

Sir George Rainy opposed the amendment as both the Government and millowners had agreed that the bill did not give enough protection. The amendment was rejected. An amendment of Mr. Ram Saran Das was also rejected.

The Tariff Bill was then passed without a division. The Silver Excise Duty Bill and the Companies Act Amendment Bill as passed by the Assembly were passed without discussion and the House adjourned *sine die*.



# Congress & Conférences

Jan.-June 1930.



# The All India Congress Committee

## The Working Committee's Resolutions

The new Working Committee for the year 1930 after the termination of the Lahore Congress met at Lyddin Nagar, Lahore on January 2nd, 1930, Shri Jawaharlal Nehru presiding. Others present were Shri M. K. Gandhi, Pandit Motilal Nehru, Maulana Abul Kalam Azad Shri C. Rajagopalachari, Shri J. M. Sen-Gupta, Shri Jammalal Bajaj, Sardar Sardul Singh Caveeshar, Dr. Pattabhi Sitaramayya, Dr. Satyapal, Shri Jankandas Doulatriam, and Shri Sri Prakasa. The following resolutions were passed by the Committee —

### 1—Boycott of Councils

'This Committee trusts that in pursuance of the central resolution of the Congress all the members of the Central and Provincial Legislatures will forthwith resign their seats, and devote their attention to the prosecution of the Independence programme, and urges the registered voters to compel the resignation of those who may not respond to the Congress appeal for resignation and appeals to the voters to refrain from participation in elections to the legislatures.

### 2—Purna Swarajya Day

In order to carry the message of Purna Swarajya—Complete Independence—to the remotest village in India, this Committee appoints Sunday the 26th of January 1930 as the day of celebration when the declaration to be hereafter issued by the Working Committee will be read to the meeting in the provincial language, and the members present at the meeting will be invited to signify by show of hands their assent to the declaration.

### 3—Congress Sub-Committees

"This Committee notes with satisfaction the work of the Foreign Cloth Boycott, Prohibition and Anti-untouchability Committees, and authorises and requests them to continue their work.

### 4—Enrolment of Members

"This Committee calls upon the Provincial Congress Committees vigorously to enrol Congress members and volunteers in their respective areas and to report their numbers to the All India Congress Committee office at Allahabad by February 10th for submission to the Working Committee meeting on the 14th February next at Sabarmati.

"With reference to the following resolution sent for submission to the Congress and referred to the Working Committee, this Committee hereby appoints Dr. Syed Mahmud, Dr. Kitchlew and Lala Duni Chand of Amبالa to enquire into the allegations made therein and report both upon the nature of the laws and regulation referred to and their administration, the Committee to have power to co-opt if need be not more than two local men and to send in their report before the end of March next :—

"Whereas the most obnoxious measures like the Frontier Crime Regulations, Murderous Outrages Act, Security Regulations and others are in force in N. W. F. Province, which have made the life of an ordinary citizen unbearable in the said Province, and the indiscriminate application of which has not left even the most educated persons untouched ;

"And whereas their summary procedure dispenses with legal trial, Counsel, arguments or appeal, enabling the executive to harrass any innocent person at its sweet will ;

"It is hereby resolved, that an enquiry committee be appointed at an early date to examine the said laws, and take evidence, in order to find out the havoc they have wrought, and devise practical means to secure their early abrogation.

"Resolved that the next meeting of the Working Committee be held at Sabarmati on February 14th, 1930."

## Purna Swarajya Independence Day

The Working Committee fixed Sunday the 26th January 1930 for the celebration all over India of the adoption by the Congress of Complete Independence or *Purna Swarajya* or *Puri Indi* as its immediate objective. This Independence Day should be celebrated as widely as possible by holding meetings and hoisting the National Flag in towns and villages. P. C. C.s and local committees should make full preparations for it so that the message of independence may reach the remotest village and the campaign for independence should begin worthily on that day. The following resolution was issued on behalf of the Working Committee for adoption by public meetings all over the country on Purna Swarajya Day, Sunday January 26th, 1930 —

"We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have the necessities of life, so that they may have full opportunities of growth. We believe also that if any government deprive a people of these rights and oppresses them the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically. We believe therefore that India must sever the British connection and attain *Purna Swaraj* or complete independence.

"India has been ruined economically. The Revenue derived from our people is out of all proportion to our income. Our average income is seven pice (less than two pence) per day, and of the heavy taxes we pay 20 per cent are raised from the land revenue derived from peasantry and 3 per cent from the salt tax, which falls most heavily on the poor.

"Village industries, such as hand spinning, have been destroyed, leaving the peasantry idle for at least four months in the year, and dulling their intellect for want of handicrafts, and nothing has been substituted, as in other countries, for the crafts thus destroyed.

"Customs and currency have been so manipulated as to heap further burdens on the peasantry. British manufactured goods constitute the bulk of our imports. Customs duties betray clear partiality for British manufactures, and revenue from them is used not to lessen the burden on the masses but for sustaining a highly extravagant administration. Still more arbitrary has been the manipulation of the exchange ratio which has resulted in millions being drained away from the country.

"Politically, India's status has never been so reduced as under the British regime. No reforms have given real political power to the people. The tallest of us have to bend before foreign authority. The rights of free expression of opinion and free association have been denied to us and many of our countrymen are compelled to live in exile abroad and cannot return to their homes. All administrative talent is killed and the masses have to be satisfied with petty village offices and clerkships.

"Culturally, the system of education has torn us from our moorings and our training has made us hug the very chains that bind us.

"Spiritually, compulsory disarmament has made us unmanly and the presence of an alien army of occupation, employed with deadly effect to crush in us the spirit of resistance, has made us think that we cannot look after ourselves or put up a defence against foreign aggression, or even defend our homes and families from the attacks of thieves, robbers and miscreants.

"We hold it to be a crime against man and God to submit any longer to a rule that has caused this fourfold disaster to our country. We recognise, however, that the most effective way of gaining our freedom is not through violence. We will therefore prepare ourselves by withdrawing, so far as we can, all voluntary association from the British Government, and will prepare for civil disobedience, including non-payment of taxes. We are convinced that if we can but withdraw our voluntary help and stop payment of taxes without doing violence, even under provocation, the end of this inhuman rule is assured. We therefore hereby solemnly resolve to carry out the Congress instructions issued from time to time for the purpose of establishing *Purna Swaraj*."

### HOW IT WAS CELEBRATED.

In accordance with the directions of the Working Committee, *Purna Swarajya* or Independence Day was celebrated throughout India on Sunday January 26th. A vast number of meetings were held in towns and villages all over the country.

where the resolution recommended by the Working Committee was passed and the pledge of independence taken. The National Flag was hoisted and huge processions were taken out. In many places there were illuminations at night. The great cities of Calcutta and Bombay led the celebrations and held demonstrations consisting of enormous numbers of persons, estimated at over a hundred thousand in each place. In Delhi and Lahore nearly a hundred thousand participated. In Ahmedabad, Allahabad, Cawnpore, Lucknow, Madras, Amritsar, Agra, Benares and hundreds of other towns and thousands of villages large crowds took part in the solemn ceremony. In rural areas particularly a large number of meetings were held, in some districts as many as one hundred. Persons from surrounding villages sometimes walked eight to ten miles to attend the ceremony.

The celebrations passed off without any serious mishap, although in a few places attempts were made by the police to remove the national flags. In the Indian States of Mysore and Patiala a more serious attempt was made to interfere with the celebrations. In Mysore city and Bangalore the National Flags which had been hoisted were pulled down by the authorities. In Patiala it was stated that 112 Sikhs were arrested for their participation in the celebrations. In Puri some Congressmen were being proceeded against for having disobeyed a police order.

In the Indian State of Jind Sardars Bir Singh, Kartar Singh and Gurbax Singh were arrested for their participation in the Independence Day celebrations. They were sentenced within a few days to one year's imprisonment under Sec. 121-A and Sec. 121-A of the I. P. C.

Independence Day celebrations also took place in many foreign countries where Indians reside. The A. I. C. C. office received messages intimating to them of such celebrations from the following places —

Victoria (Australia), Los Angeles, California (U. S. A.), Detroit, Mich. (U. S. A.), Oxford (England), Vancouver (Canada), Tokyo (Japan) and Ceylon.

The resolution adopted at Los Angeles runs as follows.

"The Indian and American residents of Detroit at a public meeting held January 26th join with you wholeheartedly in celebration of India Independence Day. Not only the suffering masses of India but also liberty loving men and women throughout the entire world are with you in leading India to complete independence."

### Boycott of Legislatures.

In obedience to the Congress mandate for the boycott of official legislatures 172 members resigned from the Central Legislature and the Provincial Councils. The Legislative Assembly had twenty one resignations and the Council of State nine. Among the Provincial Councils Bengal led with 34 resignations, the next in numbers being Behar and Orissa with 31. A list of the members who resigned is given below :—

#### LEGISLATIVE ASSEMBLY—21

Messrs. R. K. Shanmukham Chetty, A. Rangaswami Iyengar, Sris Chandra Dutta, V. V. Jogiah, Dwarka Prasad Misra, C. Duraiswami Iyengar, Rafi Ahmad Kidwai, T. A. K. Sherwani, T. Prakasam, Lala Hansraj, Sukhdev Prasad Sinha, D. V. Belvi, B. Perumal Naidu, Yusuf Imam Nawab Prasad, Gaya Prasad Sinha, Tarunram Phookan and Kumar Gangadhar Sinha.

#### COUNCIL OF STATE—9

Messrs. Mahendra Prasad, V. Ramdas Pantulu, Dr. U. Rama Rau, Seth Govind Dass, Rama Prasad Mukherjee, S. M. Zubair, Kumar Sankar Roy, Lokenath Mukherjee and Anugish Narain Sinha.

#### ASSAM—12

Messrs. Kameswar Das, Brojendra Narayan Chowdhury, Kamini Kumar Son, Basant Kumar Das, Gopendralal Das Choudha, Lakshmi Kant Barua, Jogendra Kishore, Kuladhar Chaliha, Lakshmi Kant Barua, Lakshwar Barua, Nabin Chandra Bardoloi and Rohini Kumari Chaudhury.

#### BURMA—1

Mr. S. A. S. Tyabji

#### BIHAR AND ORISSA—31

Messrs. J. B. Sen, Baldeva Sahay, Deep Narayan Singh, Krishna Ballava Sahay, Sri Krishna Sinha, Ram Nayalu Sinha, Nand Kishore Das, Nilkanth Chatterjee, S.

N Singh Rajendra Misra, Siddeswari Prasad, Ramcharitra Singh, Rameshwar Narayan Agrawal, Nirsu Narain Singh, Lingaraj Misra, Godavari Misra, Ram Nandan Singh, K. B. Sahai, Harvans Sahai, Girendra Mohan Misra, Rai Bahadur Dwarkanath, Abdul Bari, Gur Sahai Lal, Narain Birbar Samanta, Brij Raj Krishna, Kalika Prasad Singh, Sashi Bhushan Ray, Rameshwarlal Maiwari, Sheoshankar Jha, Kesari Prasad and Kailas Behaulal.

## BOMBAY—6

Messrs F J Givwala, Amritlal D. Seth, K. F. Nariman, Narayandas Anandji, Jivabhai Revabhai Patel, and Haribhai Javerbhai Amin

## BENGAL—34

Messrs. Amarendra Nath Chatterji, Jogendra Nath Maitra, Dr Bidhan Chandra Roy, Nalini Ranjan Saiker, P. D. Himatsingka, Santosh Kumar Basu, Shayama Prasad Mukhopadhyaya, Sadhan Chandra Roy, Monmotha Nath Roy, Kumar Debendralal Khan, Subhas Chandra Bose, J. M. Sen-Gupta, Dr Pramathanath Banerjee, Surendra Mohan Moitra, Sarat Kumar Dutta, Romesh Chandra Bagchi, Hrish Kesh Mitra, Baroda Prosanna Pain, J. C. Gupta, Bimalananda Tarkatirtha, Akhil Chandra Dutta, Dr Kumud Sankar Roy, Dr J. M. Das Gupta, Bejoy Kumari Chatterji, Jogindra Chandra Chakravarty, Bejoy Krishna Bose, Sukhlal Nag, Amarendranath Ghosh, Mohini Mohan Das, I. N. Mukerjee, Mohendra Nath Maitra, Pratul Ganguly Ranjit Pal Chaudhury and Kiran Shanker Roy.

## C. P.—20

Messrs Bijlal Biryani, P. B. Gole, Krishanlal Onkardas, Dr. N. B. Khale, Pannalal Rao Bahadur Kelkar, Mehta Salpekar, Dipchand, Ghansham Singh Gupta, Kedarnath, Rohan Khandekar, Narayan Rao Kelkar, Kesho Ramchandra Khandekar, Sheo Das Daga, Mohant Laxmi Narayan, Beohar Rajendra Sinha, Rajendra Sinha, Umesh Dutta Pathak and N. Y. Deotale

## MADRAS—20

Messrs Sami Venkatachalam Chetty, K. R. Karant, A. Kaleswara Rao, K. Kou Reddi, V. Kameswara Rao, C. Ramasomayajulu, C. O. Reddi, K. M. Nair, C. N. Muthuanga Mudaliar, C. Marudavanam Pillai, C. Venkatapati Raju, B. Venkataratnam, K. V. R. Swami, D. Narayana Raju, M. Narayana Rao, A. Parasurama Rao, G. Harisarvottama Rau, P. Anjeneyalu, S. Satyamurti and C. V. V. Iyengar

## PUNJAB—2

Messrs. Afzal Haq and Lala Bodhraj.

## U. P.—16

Messrs. Ganesh Shankar Vidyarthi, Sampurnanand, Chaudhury Vijay Pal Singh, Chaudhuri Dharmvir Singh, Thakur Manak Singh, Thakur Gulab Singh, Lala Nemi Saran, Raghu Bir Sahai, Thakur Sadho Singh, Bhagwat Bhargava, Thakur Har Prasad Singh, Deora Prasad, Uma Shankar, Govind Ballabh Pant, Badri Dutt Pande and Muhammad Habib

## Second Meeting of the Working Committee

The second meeting of the Working Committee of the A. I. C. C. met at Sabarmati, Ahmedabad on the 14th, 15th and 16th of February 1930. The members who attended one or more meetings were Shri Jawaharlal Nehru (in the chair), 2. Mahatma Gandhi, 3. Pandit Motilal Nehru, 4. Shri C. Rajagopalachar, 5. Shri Vallabhbhai J. Patel, 6. Seth Jammalal Bajaj, 7. Sardar Sardul Singh Caveeshar, 8. Dr. B. Pattabhi Sitaramayya, 9. Dr. Satyapal, 10. Shri Jauramdas Doulatram, 11. Dr. Syed Mahmud and 12. Shri Sri Prakasa. The following important resolutions among others were passed :—

### 1.—Civil Disobedience

"In the opinion of the Working Committee civil disobedience should be initiated and controlled by those who believe in non-violence for the purpose of achieving Purna Swaraj as an article of faith and as the Congress contains in its organisation not merely such men and women but also those who accept non-violence as a policy essential in the existing circumstances in the country, the Working Committee

welcomes the proposal of Mahatma Gandhi and authorises him and those working with him who believe in non-violence as an article of faith to the extent above indicated to start civil disobedience as and when they desire and in the manner and to the extent they decide. The Working Committee trusts that when the campaign is actually in action all Congressmen and others will extend to the civil resister their full co-operation in every way possible and that they will observe and preserve complete non-violence notwithstanding any provocation that may be offered. The Working Committee further hopes that in the event of a mass movement taking place all those who are rendering voluntary co-operation to the Government, such as lawyers and those who are receiving so-called benefits from it, such as students will withdraw their co-operation or renounce benefits as the case may be and throw themselves into the final struggle for freedom.

The Working Committee trusts that in the event of the leaders being arrested and imprisoned those who are left behind and have the spirit of sacrifice and service in them will carry on the Congress organisation and guide the movement to the best of their ability.

## 2.—Changes in the Constitution

In view of the fact that the annual Congress session will in future be held in the month of February or March the following changes in the constitution be made —

Art. II Cl (a) Instead of "last week of December" substitute "month of February or March to be fixed by the Working Committee in consultation with the Provincial Committee of the Province concerned".

Art. VI Cl (d) Instead of "before the 30th November" substitute "not later than one month before the commencement of the annual session of the Congress".

Art. VII Cl (iii) Instead of "January" substitute "April". Instead of "December" substitute "March".

Such other consequential changes in dates as follow from the above.

Further that in Art. I, after the word "Swarajya" put in brackets "Complete Independence".

## 3.—Renewal of Congress Membership

Members shall be entitled to exercise the rights of membership for one month after the close of the year. Their names will be kept on the rolls for an additional two months but they will not have the right to participate in Congress meetings unless they pay their subscription for the current year. If their subscription is not paid at the end of the third month of the new year their names will be struck off the membership rolls. They will be eligible however to join as new members at any time they pay their subscription.

## 4.—Disciplinary Measures

*Resolved* that those Congressmen who have not resigned their seats in the legislatures or having resigned have sought re-election, should be requested by the Secretaries to resign their membership of any elective Congress Committees that they might hold and on their failure to comply with this request, the President may take such steps against them as are contemplated in the disciplinary rules.

## 5.—Bengal Dispute

The Secretary placed before the Committee a copy of the award of Pandit Motilal Nehru in the Bengal election dispute as also the letters of Mr. J. M. Sen-Gupta and the Secretary of the B. P. C. C. *Resolved* that in view of all the circumstances the Committee is of opinion that fresh elections for the A. I. C. C. should be held in Bengal.

## 6.—Income Tax

The Working Committee recommends to the P. U. Cs. to frame rules for the levying of contributions from Congressmen based on a percentage of their incomes. These contributions shall be levied on members of elective Congress Committees and incomes below Rs. 300 per annum may be exempted. Ten per cent. of the gross collections shall be paid to the A. I. C. C. less the fixed provincial contribution.

## 7.—Treatment of Political Prisoners

The Committee notes with regret that the assurances given by Government for the better treatment of political prisoners which induced the A. I. C. C. to pass

resolution No. 4, dated September 28, 1929 have not been fulfilled and that the Lahore prisoners have felt impelled in protest to resort to Hunger strike in jail.

### 8.—G. I. P. Ry. Strike

This Committee expresses its general agreement with the demands of the G. I. P. Ry. workers for security of service and abolition of racial discrimination and no victimisation. The Committee is of opinion that these demands are reasonable and regrets that the attitude of the railway authorities towards them has been such as to compel the railway workers to go on strike. The Committee trusts that a Conciliation Board will be appointed to consider the workers' grievances and thus bring about a satisfactory and honourable settlement.

### 9.—Next A. I. C. C. and Working Committee

*Resolved* that the next meeting of the Working Committee be held at Sabarmati on March 26th and that of the A. I. C. C. on March 27th at Ahmedabad.

## The A. I. C. C. At Ahmedabad

Accordingly the All India Congress Committee met at Ahmedabad on the 27th MARCH at 2 p.m. in a specially erected shamiana on the Gujarati Vidyapath grounds. Among those present were Pandit Jawaharlal Nehru, Mrs. Gandhi, Mrs. Sarojini Naidu, Sircemati Anusuyaben, Mrs. Ambalal, Mrs. Kamala Devi, Mrs. Uma Bai, Mrs. Rukmani Laxmipathi, Pandit Motilal Nehru, Maulana Abulalam Azad, Babu Rajendra Prasad, Seth Jammalal Bajaj, Messrs. Rajagopalachariar, Konda Venkattappaya, K. Nagesh Rao, Sambamurthy, Banker, Sri Prakash, Syed Mahmud, Purushottamdas Tandon, Abbas Tyebji, Darbar Gopaldas, Kupalani, Karlekar, Sardar Sardul Singh, Dr. Satyapal, Mr. Abul Quader, Dr. Alam, Maulana Zaffarali Khan, Messrs. Manilal Kothari, Gangadhar Rao Deshpande, Jiramdas Daulatram, Seth Govind Dass D. P. Mistry, Satish Chandra Das-Gupta, K. F. Nariman, Abidali, Hardikar, Punja Shastri, Govindachari Narsimha Rao, S. Santanam, Mandanji and others.

At the outset the *PRESIDENT*, Pt. Jawaharlal Nehru made a statement. He said he had received intimation from several members that Ahmedabad being situated in a corner it would have been better if the meeting were held elsewhere. But they all knew that the meeting was called here because Gandhiji was expected to attend. He had asked Gandhiji and he had agreed but in the circumstances as at present prevailed he did not think it advisable to persuade Gandhiji to come down to Ahmedabad but they had the advantage of meeting at a place so near that they could confer with him, if necessary, and they also were in the midst of the war atmosphere.

He had drawn their attention to the disservice certain papers were doing to them. He regretted to see under glaring headlines in some papers, that Gandhiji was appointed a dictator and that so and so was appointed dictator in such and such province. There was no question of appointing a dictator. They had chosen Gandhiji as their general and the Working Committee and the A. I. C. C. took the fullest responsibility. The Working Committee passed their resolution about five weeks ago and steps had been taken by some to put it into action. If the A. I. C. C. thought it fit they could ratify that resolution but if they disagreed they could say so. Of course those who had taken certain steps would not rescind but certainly the A. I. C. C. would not be held responsible for their action.

In conclusion, Pandit Jawaharlal appealed to the members to be brief and to the point in dealing with the resolutions which would come before them. He did not want to encroach upon their right but he wanted them to remember that they had to concentrate their energies on action.

The President next explained the Budget figures for the coming year. He welcomed Mr. Sambamurthy who, he said, seemed to have been none the worse for his jail life. (laughter.)

Pandit Jawaharlal Nehru next congratulated Sri. Subhas Bose and others imprisoned by the Government. It was announced that Babu Rajendra Prasad had been elected to the Working Committee in place of Sardar Vallabhbhai Patel.



## 1 Approval of Mahatma's plans

The second resolution moved the Working Committee's main resolution which runs as follows:

This meeting of the A.I.C.C. approves of and endorses the resolution of the Working Committee planning Mahatma Gandhi to initiate and control Civil Disobedience Campaign and encourages him and his companions and also the country on the whole to co-operate with his plan for Civil Disobedience.

The Congress trusts that the whole country will respond to this action taken by Mahatma Gandhi and that the campaign for Purna Swaraj (to speedy and successful attainment).

The A.I.C.C. hereby urges the Provincial Congress Committees subject to the direction of the Working Committee might issue from time to time to or to conduct action for Civil Disobedience as to them may seem proper and in the manner deemed proper to them to be most suitable. The Committee, however, hopes that the provinces, so far as possible, will concentrate on a civil breach of salt laws.

"The Committee trusts that while full preparation should be carried on in spite of any governmental interference, Civil Disobedience shall not be started till Gandhiji has reached his detention and has actually committed a breach of the salt laws and uttered the word. In the event, however, of Gandhiji's earlier arrest the provinces shall have full liberty to start Civil Disobedience.

The A.I.C.C. congratulates Sadur Vallabhbhai Patel and Sh. J. M. Sen-Gupta on their arrest and note with satisfaction that their arrests instead of weakening have strengthened the national resolve to reach the goal without any delay.

The Committee records its appreciation of the example set by the village owners of Gurd who have retired from Government's office in order to join the national campaign.

Several points were raised on the first resolution. Moulana Zafarali Khan asked whether there should be permitted disobedience of other laws and such steps as petitioning, picketing, &c.

A voice: Not to make things too large.

The President explained that full power was given to each province to do so if it felt necessary.

Dr. H. C. Patel asked, whether non-violence mentioned in the resolution meant as a policy or as a faith. He also wanted to know whether it was a religious war. He raised the question because Mahatmaji was adhering to non-violence as a faith and was calling the present struggle as a religious war.

The President explained that after Gandhiji's arrest everyone who wanted to join would join according to his own faith. It depended upon each individual's conception of struggle. As for himself he had no religion.

Dr. Alam said that he was in the same position.

Moulana Zafarali Khan suggested that local campaigns like opposing water tax in Multan should be helped by the Congress.

The President thought that local grievances could not be made national questions, but the local Congress Committee should be approved by the leaders of such local movement and he was sure that they would get all possible help. After the closure was moved the resolution was put and carried unanimously.

## 2 Vacancies in Working Committee

The second resolution recommended by the Working Committee ran—

"In view of possible vacancies in the Congress Working Committee arising out of Govt. action and in the event of normal procedure being rendered difficult, resolved that the following procedure be adopted, (1) The President may nominate his successor and the President or the treasurer shall have powers to fill up all vacancies in the Working Committee by his own nominations, (2) The working treasurer shall have power to nominate his own successor in case of similar emergency."

The President explained that this resolution was passed yesterday in his absence and it was not to his blame. Still he played it before them and they could do what they thought fit.

Mr. Jannalal Bajaj thought that it was necessary to let the President have such power even if he did not quite like it.

Dr. Alam was against the resolution.

Pandit Motilal Nehru strongly supported it. He thought that it was a business-like resolution and they ought to pass it. He recalled the situation in U. P. where in 1921 the whole provincial committee was arrested. He said that the power under the resolution ought to be exercised only in such emergency. He wanted them to have fullest confidence in Mahatma Gandhi and the Working Committee and pass the resolution.

Mr. Abbayankar moved an amendment deleting—"the procedure being rendered difficult" and substituting "the procedure cannot be followed". Mr. Abbayankar said he agreed that even the president should be allowed to choose his own men but every president should be an accredited one elected by the A. I. C. C.

In accepting the amendment Pandit Jawaharlal said he did not much care whether the resolution was passed or not. A strong president when the necessity arose was bound to take action, whereas if the president was weak the resolution could do him no good. All that they could do was to ensure or punish the president for exceeding his powers, but in an emergency state they would not be there. (Laughter)

The amended resolution was passed.

### 3. U. S. Congress Branch Disaffiliated

The Working Committee's third resolution ran —

"In view of the fact that the American branch of the Indian National Congress has consistently refused to supply information about its manner of formation, membership etc., in spite of repeated requests and because it appears to this committee on reliable authority that the office-bearers of the branch carry on public propaganda against the declared policy of the Congress and directly contrary to the Congress creed and methods, the Committee disaffiliates the American Branch."

Pandit Jawaharlal Nehru himself moved the resolution explaining the reason for the proposed step.

Moulana Jafarali and Dr. Hardikar opposed the resolution pointing out that such action might injure the Indian cause in America where the people seemed to follow the Indian movement sympathetically. They referred to Senator Blaine's resolution and said the activities of the American branch should prove helpful in popularising the Indian cause.

Mrs. Sarojini Naidu supported saying that the Congress branch represented the activities of a few Indians and in their activities and press propaganda they were consistently misrepresenting the ideals of the Indian National Congress. Moreover a large section of Indians resident in America was opposed to this branch's activities.

Pandit Jawaharlal in a further speech again explained the resolution which was adopted.

### LEGISLATURE BOYCOTT

The question was asked what disciplinary action was taken against the A. I. C. C. members who did not resign from the councils.

Pandit Jawaharlal said that the Congress legislators who retained their seats had resigned from the A. I. C. C.

A question :—What about Malayiyayi ?

Pandit Jawaharlal replied that the case of ex-presidents who were ex-officio members of the A. I. C. C. presented difficulties. Only the Congress itself could take action in such case.

The President concluding said that though the meeting was a very short one the business transacted by them was very important. They met at such a time that they did not know when the next meeting would be called, nor how many of those who were present to-day would be present in the next meeting. He did hope that none of them would be present. He hoped every one of them would plunge in the national war.

# Provincial Political Conferences

## The Bengal Provincial Conference

The Bengal Provincial Political Conference opened its annual session on the 28th APRIL 1929 at Rajshahi under the presidency of Mr. Popon Behan Ganguly. The Presidential seat was taken in a procession to the pandit specially erected in the compound of the local High School. He was received at the gate by the General Secretary. After the customary national song, the address of Mr. Sudarsan Chakravarti, the Chairman of the Reception Committee was read. After welcoming the delegates and referring to the death of Messrs. Akhsay Kumar Maitra and Jatindra Nath Das the latter in the Lahore Jail, he referred to the natural rights and aspirations of the people of the country. There was a time, he said when Dominion Status would have satisfied them. To-day their goal was Purna Swatantra, and that could only be achieved through their own exertions, and not as a gift from others.

The question was 'How to attain their birth-right?' It was one thing to create a movement by fanning the flames of discontent, but it was quite a different thing to crown that movement with success. What was necessary to-day, above everything else, was a spirit of sacrifice and sustained endeavours. Emotion no doubt played a great part in directing their activities towards the desired end, but at the same time, it should not be forgotten that the set-back that came in the wake of a movement was often very disruptive in its effect.

Non-violent non-co-operation, he said, was not a weapon of the weak. It was meant only for those who conscious of the innate justness of their cause, were prepared to suffer tribulations to bring about a bloodless revolution in the present state of things. The whole world to-day was looking expectant at India to see the ultimate result of this new war, and if India succeeded, as she was bound to do, she would only add another chapter to her glorious history.

It was a pity, therefore, that at this juncture, there were signs of internecine quarrel amongst the ranks of Congressmen. He appealed to them to unite for the cause they held so dear. The whole nation to-day had plunged into the fight started by Gandhiji, and it was gratifying to note that Bengal had not lagged behind. Let them unite and be prepared to pay the highest price for what they wanted. And the moment, he declared, India was ready to do so, victory was theirs and, no power, however great on earth, would succeed in checking the progress of their onward march. Concluding, he called upon the delegates assembled to chalk out a united programme to bring their movement to a successful issue.

### The Presidential Address

Mr. Ganguly received an ovation when he rose to deliver his address. In the course of his speech he said:—

"The very existence of a dependent nation is threatened at the present day. There is no disputing the fact. We too as an enslaved nation are at the end of our tether. Nothing but freedom now stands between us and total extermination as a nation. The day has come when men, women and children will have no other alternative but to join this fight for freedom.

He added "Why did England join the World War? Was it not because the freedom of every nation was threatened? The late Lord Balfour, former premier of England during the war declared at a dinner 'A crisis had been reached when the whole civilization must rise up and voice its appeal for the preservation of human liberty. Unless all who love human liberty unite we shall be destroyed piecemeal.' Human liberty in India too has reached this crisis. Will the countrymen of Lord Balfour exert themselves to help India in her distress? We request every civilized nation to stand by India in her present life and death struggle. If they fail, can we not repeat the warning of Lord Balfour of their destruction piecemeal? What does England say? Will she come?

She can not. She shall not, said Mr. Ganguly. It is not to her interests, political as well as economic, India alone would have to trudge the long trek. India unaided will have to assert her freedom, her very right to self-determination. She alone will have to solve all her problems.

Mr Ganguly referred to the ills India was subject to and held that political and economic slavery was alone responsible for the present state of affairs obtaining in the country. A foreign administration superimposed on this country was robbing India of her innate characteristics and had a dehumanising influence on the people. The Hindus and Moslems who are living side by side these long years in perfect peace and concord now occasionally ranged themselves in hostile camps much to the detriment of the common cause which they ought to have promoted.

Mr Ganguly took pains to relate the oft-repeated arguments regarding India's inability to defend herself in case the British withdrew their army and their navy which now kept India safe from outside attacks. He held that if India could wrest her freedom from the hands of the British she could well guard her hearth and home from the clutches of those who cast a longing look on her shores.

It had been told abroad that India was not a nation. Numerous castes, creeds, the diversity of the people inhabiting the place, all these stood in the way of united action. It was the British rule alone that bound her separate entities and separate interests in a unity that spelt for progress. But was America a nation? Was Russia a nation? asked the speaker. They were not. And it did not stand in their way to evolve a constitution worthy of any civilised nation in the world. India too with all her diversities would have to evolve a constitution suited to her needs. This was her inalienable right and to assert this right she must concentrate all her efforts to achieve her freedom.

Mr Ganguly then referred to Mahatma Gandhi's non-violent campaign against the Salt Act and other Excess Laws and urged the people to join the campaign in their hundreds to bring it to a successful issue. Boycott of British goods, he held, was also another weapon in the hands of the people which they could wield successfully. Trade and industry was the life blood of the British and if Indians could paralyse it here they could rest assured of their success.

Concluding, Mr. Ganguly urged the audience to take up constructive work so that in time of need they could establish parallel organisations like post offices, co-operative societies etc. He urged also the necessity of formation and maintenance of a national militia as well as peasants' and labourers' unions. The last but not the least was the removal of untouchability which was a blot on the fair name of the nation.

#### Second Day—Arrests 'en galore'

On the second day, the 20th April, in the morning, the Presidents of four different conferences at this time in session at Rajshahi were arrested under Section 151 of the Criminal Procedure Code which provides that a police officer "knowing of any design to commit a cognizable offence may arrest without a warrant the person designing".

The arrested persons were Babu Bepin Behari Ganguly, President of the Bengal Provincial Conference, Babu Pratul Chandra Ganguly, President of the Youth Conference; Babu Bankim Chandra Mukherjee, President of the Young Comrades' League and Babu Trailokya Chakravarty, President of the Workers' Conference. Babu Bepin Behari Ganguly left a message asking his countrymen not to lag behind when the fight for freedom had begun. He was taken in procession amidst cries of "Bande Mataram". The four arrested men were placed before the Sdar Sub-Divisional Officer who offered to release them on a bail of Rs 500 each. They, however, refused to be enlarged on bail. Before being taken into custody Babu Bepin Behari Ganguly nominated Mr. Laht Mohan Das to preside over the Conference.

When the Conference met Mr. Das appealed to the house to shelve discussions on controversial issues in view of the arrest of the president. Thereafter the conference passed resolutions. The following is the English translation of the resolutions passed.

#### Text of Resolutions

1. (a) This Conference congratulates Srejit Bepin Behari Ganguly, the President of the Provincial Conference, Sj, Pratul Chandra Ganguly, the President of the All-Bengal Youth Conference, Sj Bankim Chandra Mukherjee, the President of the Young Comrades' League and Sj. Trailokyanath Chakravarty, the President-elect of the Workers' Conference who were arrested this morning by an alien Govern-

ment while the different Conferences have been still in session and the Conference regards their incarceration as the due reward for their service toward the cause of Independence.

(b) This Conference also pays its homage to Sri Surendra Mohan Ghose, Kiron Chandra Mukherjee, Monindra Kumar Chowdhury and other sincere and selfless Congress workers of Bengal, the news of whose arrest reached us this morning.

(c) This conference feels pride at the Dadhichi-like great self immolation of late Jatindra Nath Das, the best son of Bengal, who sacrificed himself for the independence of India and peerlessly as a protest against the severe oppression that is being meted out to the workers in jail. The Conference further pays its homage to the unique ideal set by him.

(d) This Conference also feels pride at the great immolation of the patriot Vrikha Purna Begoy and pays its homage to the ideal set by him.

5. The Conference expresses its sense of great sorrow at the demise during the last year of the following workers and patriots and tender its deep sympathy with the bereaved families:—1. Late B. K. Chakravarty, Calcutta, 2. Late Begoy Kumar Roy, Jessore; 3. Monindra Chandra Sanyal, Bogra, 4. Late Prasanna Kumar Sen, Chittagong, 5. Late A. K. Maitra, Rajshahi, 6. Late Sukhendu Bakish Dutt, Chittagong, 7. Hare-uddin Sarkar, Bogra, 8. Late Bhupendra Chandra Roy, Mymensingh, 9. Late Muniri Mohan Sen, Berhampore (Bengal), 10. Late Kadi Mohan Karanjia, Rangpur; 11. Late Biswanath Chatterjee, Birbhum; 12. Late Mihungah Monindra Chandra Nandi, Cosimbahar, 13. Moulvi Laakat Hussain Khan.

6. This Conference proclaims that full Independence is the aim of India.

7. (a) This Conference pays its homage to those workers in the cause of the country who had either suffered or have been suffering incarceration and oppression as a result of the policy of repression inaugurated over the whole country by the Bureaucracy and further welcomes the sense of bravery, self-sacrifice and patriotism that the above policy has aroused among the people.

(b) This Conference pays it homage to Sri Subhas Chandra Bose J. M. Sen Gupta, and leaders and workers in the province who have embraced imprisonment for the Independence of the country.

(c) This Conference pays its homage to Pandit Jawaharlal Nehru, the President of the Congress and Sri Jammalal Bajaj, Vallabhbhai Patel, the members of the Working Committee, and other leaders on their incarceration.

8. This Conference calls upon all people to join the Satyagraha and Non-violence Civil Disobedience movement started in Bengal by the Bengal Provincial Congress Committee in accordance with the direction of the A. I. C. C. and in the shape of breaking the salt laws, and thus to make it a success.

9. (a) This Conference earnestly calls upon the people to boycott all foreign cloths and specially the British goods for the full Independence of India and also requests all to take steps to remove fully from the land the evil of drinking.

(b) With a view to carry into effect the above resolution this Conference resolves that where local circumstances permit, steps be taken to picket-shops dealing in foreign cloths, British goods and liquors.

10. This Conference welcomes the new awakening and spirit of organization that have now been found among (a) the youths and students (b) labourers and the women in the land and requests them all to work in co-operation with the Congress as necessary and further congratulates the youths, students, labour and ladies who have been suffering imprisonment in their respective cause.

11. This Conference requests the B. P. C. C. to observe the "Salanghat Day" on the 27th January of every year throughout the province in memory of the heroes who sacrificed their lives as a result of shooting by the police on the 27th January 1922 at Salanghat Sirajganj during the last Non-co-operation and Khilafat movement.

## The U. P. Provincial Conference

Presiding over the United Provinces Provincial Political Conference held at Cawnpore on the 21st APRIL 1929, Mr. Sunder Lal said that before 1857 the English Administrators in Bengal and elsewhere were merely in the position of servants of the Emperor of Delhi. The British Governor-General subscribed himself in document as

'Phidbi-i-Khas' (special servant) of the Delhi Emperor. Unfortunately, they usurped the throne when they found their acknowledged liege-lord was too weak to defend himself. The speaker contended that the English could not occupy India on their right of conquest. Not only had they no right originally to be rulers of India but also their rule in India had proved very disastrous to the governed. What Mr Sunder Lal dreaded most was not, however, Western domination but Westernism as it had led to India's present moral and cultural degeneration and degradation.

Referring to the failure of the Indian Mutiny in 1857, he said that the only consolation that they could get from it was that it brought about the end of the ruling dynasties in India and placed the future political power in the hands of the Indian people.

Proceeding, he traced the origin and history of the Indian National Congress which was conceived by Mr Hume and Lord Dufferin as a safety valve against enlightened Indians drifting towards revolution. They were now engaged in the final struggle for India's emancipation. The speaker deprecated communal activities like Shuddhi and Sangathan and Tabligh and Tanzeem in most seathing terms and described them as advanced symptoms of a diseased state of society. He made a fervent appeal for non-violence. He cited his own personal experience to illustrate that violence was a futile weapon under the present circumstances to win Swaraj for India. Concluding he exhorted the audience to follow Mahatma Gandhi in the present struggle whole-heartedly and with a singleness of purpose.

#### Resolutions—1. Condolence.

After the presidential address the conference passed resolutions condoling the deaths of Maulana Mazharul Haq, Pandit Shyamji Krishna Varma and Pandit Gokaran Nath Misra and expressing sympathy with the bereaved families.

The conference regarded the martyrdom of Shriyut Jatindra Nath Das and Phongi Vijaya as ideals of non-violence and expressed the hope that the people of these provinces would take lessons of fortitude and patriotism from their example.

The proceedings of the Conference on the next day, the 22nd. April, concluded late after midnight, amidst scenes of great enthusiasm. Prominent persons on the dais were Pandit and Mrs. Motilal Nehru, Mrs. Jawaharlal Nehru, Pandit Madan Mohan Malaviya, Maulana and Begum Hasrat Mohani, Shriyut Ajuulal Sethi, Babu Purshotamdas Tandon, Pandit Govind Ballabh Pant, Pandit Krishna Kant Malaviya, Mr. Gopi Nath Singh, Pandit Ganeshshankar Vidyarthi, Dr. Murarilal and Lalr Pyarelal Agarwal. The proceedings commenced at 4 p. m. with "Bandemataram" song,

#### 2. Complete Independence Welcomed

The Conference passed a resolution, moved by Pandit Govind Ballabh Pant welcoming the declaration of complete independence by the Lahore Congress and asking the local committee to fight resolutely according to Mahatma Gandhi's instructions till success was completely realised. It further reminded the people that the Government's repression would have to be answered by an equal amount of non-violence, integrity and fortitude.

*Pandit Motilal Nehru*, who supported the motion, was lustily cheered as he rose to speak. He said that Pandit Jawaharlal Nehru would have been the proper person to speak there, but under foreign rule many an unnatural thing was possible and his (Pandit Motilal's) presence there was one such. Ordinarily the son would succeed the father, as had been the case in the matter of the Congress Presidentship. But this Government had forced the father to succeed the son, although it was an utterly uncommon and unnatural thing. They ought to be prepared to take the place of even their grandsons. He did not care that Pandit Jawaharlal was not there, for the great awakening in the country in response to his arrest was ample compensation to him. He would hope that if Pandit Jawaharlal served his full term in jail, he would come out when Swaraj had been or very nearly attained.

They ought to understand the full significance of the breaking of the Salt Laws. This was the forerunner of a full battle of Swaraj. They meant to undo Government, which enacted such unjust laws. They wanted to demonstrate to the Government that they were much more powerful and determined than the Government was. Congressmen would now see that even a tola of Government salt was not purchased in the market.

The sufferings undergone by brave Satyagrahis were remarkable, declared Pandit Motilal. They did not open their fists. Even if they were beaten

or nailed they would not allow the police to get even a crystal of their salt. This fight would not be confined to the breaking of the salt law alone. Dozens of laws might be selected for open defiance till Government was rendered utterly impossible. The Government would yield when their pockets were collectively assailed. The people would also resort to picketing of foreign cloth and liquor shops. He was glad that cloth merchants of several cities had decided to help them. He needed such desperadoes in this fight who would regard it as the final battle of their life and were prepared to sacrifice anything howsoever great.

Congressmen had decided, Pandit Motilal declared, to boycott the Round Table Conference but his Liberal friends were concentrating their hopes upon it although it was doubtful if it would be held. Yet the Liberals were prepared to sacrifice their all for it. Beggars could not be choosers. Those who were going to beg for something, deserved nothing. The speeches of Earl Russell and Lord Irwin showed that there was a great distance between the announcement and the realisation of Dominion Status, and yet the Liberals would not be disillusioned. They said that the Congress did not represent the nation. He said beggars did not represent anybody. The resolution was passed *unanimously* and the conference terminated.

### The C. P. Political Conference

Loud cheers and cries of "Long live Revolution" and many enthusiastic scenes marked the opening of the third session of the C. P. Hindusthani Political Conference held at Raipur on the 15th April 1930. Pandit Ravishanker Shukla, Chairman of the Reception Committee, in welcoming the delegates and others, declared that the arrest of their President-elect, Pandit Jawaharlal Nehru, while he was on his way to Raipur, had suddenly transformed the political conference and he hoped that their deliberations would accordingly be characterised by coolness and fairness. Proceeding, Pandit Ravishanker made a survey of the recent political developments in the country and said that in spite of their having flouted the salt laws at many places in the province, the Government dared not arrest them and therefore they should explore other means of forcing the hands of the Government to take charge of them.

### The Presidential Address

Seth Govind Das who, on rising to speak received an ovation, said that they had assembled there with mixed feelings of pain and pride. They were disappointed in their much-looked for expectation to see Pandit Jawaharlal in their midst that day while they considered it to be their great fortune that the arrest was made while Pandit Jawaharlal was entraining for Raipur. The arrest was therefore a direct challenge to the province and he was confident that fitting reply would be given. The war had been declared and as President of the "War Council" he was there to give his command. His only command was that it should be the duty of every one in the province to fight to the finish even at the cost of his life. Seth Govind Das further said that ever since the country lost independence attempts were made to regain it and the present awakening was due to a series of national movements started in the past to this end. It was, therefore, a mistake to suppose that the energy and time spent on national movements in the past was a waste. The present movement of Satyagraha began where the non-co-operation movement of 1921 ended. No arrest had so far been made in this province. This did not mean that they would not go any further. If the Government did not arrest them for breaking salt laws, they would soon find out other ways of compelling the Government to do so.

### RESOLUTIONS PASSED

After the presidential address, five resolutions were moved and carried. The first congratulated Pandit Jawaharlal on his arrest while coming to Raipur and accepting Government challenge. The second congratulated other national leaders on the arrest and conviction. The third while praising Raipur and Betul District Councils for exemplary activities of national service, congratulated them on the Government wrath thus invited. The fourth related to the establishment of a memorial to Rani Durgawathi who fought and died for the freedom of the province and the fifth suggested a change in the name of the province to Maha Koshal.

The Conference dispersed late at night.

# The Moslem Conferences

## The All India Moslem Conference

The following resolutions were passed at the meeting of the Executive Board of the All-India Muslim Conference held at Lahore on 30th. and 31st. December, 1929.

(1) The Executive Board of the All-India Muslim Conference representing the Indian Mussalmans, expresses its deep abhorrence on the dastardly bomb outrage committed on the Viceregal train at Delhi on the 23rd December and tenders to their Excellencies Lord and Lady Irwin the sincere congratulations of the Muslim community on the providential escape of their Excellencies and their party.

(2) The Executive Board of the All-India Muslim Conference greatly appreciates the efforts of the South African Mussalmans who had organised a Conference of the South African Mussalmans at Lorraine Marquis in November last and is glad to affiliate it to the All-India Muslim Conference as desired by them.

(3) The Executive Board of the All-India Muslim Conference approves the decision of the Working Committee that a special session of the All-India Muslim Conference be held at such a central place as the Working Committee may consider suitable immediately after the publication of the Simon Commission Report in order to give adequate expression to the views of the Indian Mussalmans regarding the scheme of Constitutional Reforms which may be acceptable to the Mussalmans of India.

(4) The Executive Board of the All-India Muslim Conference welcomes the announcement made by His Excellency the Viceroy regarding the holding of a Round Table Conference in London between the representatives of His Majesty's Government, British India, and the Indian States. A large section of the Mussalmans had regretfully come to the conclusion that the British Nation did not desire freedom of India, and action on the principle that full Responsible Government should be achieved, if possible with the British connection and if necessary without it and having full confidence in the cause which the Moslems of India represent, advises the Mussalmans not to close the door of negotiation and to accept the invitation to the proposed Round Table Conference. The Board trusts that the British Government are not unaware of the fact that no constitution will be acceptable to the Mussalmans until and unless adequate safeguards are provided for their rights, interests as laid down in the resolution unanimously adopted at the All-India Muslim Conference held at Delhi under the presidency of His Highness the Aga Khan.

(5) The Executive Board of the All-India Muslim Conference places on record its emphatic condemnation of the system of electorates and the scheme of representation for the various communities in the provincial Legislative Councils and the Central Legislatures as proposed by the majority of the Indian Central Committee. The Board regards that scheme as in the highest degree detrimental to the best interests of India, absolutely unjust to the Indian Mussalmans and as prejudicial to the smooth working of the Legislative machinery in the country.

(6) The Executive Board of the All-India Muslim Conference is amazed that while recognising the fitness of the North West Frontier Provinces for the introduction of a Reformed Legislative and Administrative system, the majority of the Indian Central Committee have recommended the introduction only of the "Minto-Morley" Reforms in that Province.

(7) The Executive Board of the All-India Muslim Conference views with grave concern the attitude of the British Government with reference to the due representation and protection of the Indian Mussalmans in the forthcoming constitutional Reforms, and in consequence advises the Mussalmans to concentrate on constructive work, and to rely exclusively on their own organised efforts to secure for themselves their legitimate position in the constitutional and administrative machinery of a self-governing India.

(8) The Executive Board of the All-India Muslim Conference congratulates Afghanistan, on successfully emerging out of its present troubles and is grateful



to His Majesty Ghazi Mohammad Nadir Shah for having re-established a strong Central Government in Afghanistan.

## The All India Muslim League

Condemnation of the Nair report and appreciation of H. E. the Viceroy's announcement, marked the decisions of an important meeting of the Council of the All-India Muslim League held at New Delhi on the 9th February 1930 with Mr. M. A. Jinnah in the chair. This was the first Council meeting after last year's break-up of the League's session in Delhi amidst rowdy scenes.

The following members of the Council attended the meeting: Sir Abdul Qayum, Moulvi Mahomed Yakub, Mr. Abdul Matin Chowdhury, Raja Ghaznafar Ali Khan, Mr. Mahomed Rafique, Mr. Abdul Quadir Sadique, Mr. Tofail Ahmed, Mr. Abdul Haq, Sir Zulfiqar Ali Khan, Nawab Shujat Ali and Mr. S. M. Abdulla.

The Council after two hours' discussion, adopted the following resolutions

### 1. Viceroy's Announcement

The Council is of opinion that the announcement of H. E. the Viceroy, on behalf of His Majesty's Government, clearly defining the purpose and policy of the Government, regarding the attainment of Dominion Status for India is most timely, and consider that the revised procedure of inviting representatives of India and Indian Princes to meet His Majesty's Government with a view to finding a solution of the future Government of India is satisfactory.

"The Council hopes that in choosing representatives of British India, His Majesty's Government and H. E. the Viceroy will not fail to invite Moslem representatives who will constitute an adequate representation in character and number, and will not give any preponderate representation to any particular organisation.

"The Council further urges that it is of the utmost importance that the proposed conference should be called as early as possible and that the date should be fixed and announced without delay."

### 2. Nair Committee Condemned

"The Council is emphatically of opinion that the recommendations of the Central Committee are not acceptable and is constrained to condemn the report as detrimental to the general interests of the country, particularly inasmuch as it does not safeguard the rights and interests of Mussalmans in the proposed constitution.

"The Council is further of opinion that the Moslems of India will not be satisfied with or accept any constitution which does not put the Frontier province on the same footing as the other provinces of India."

### 3 Delhi Bomb Outrage Condemned

"The Council expresses its condemnation of the outrageous attempt on H. E. the Viceroy's special train on December 23rd, and is thankful for the providential escape of their Excellencies and party."

The Council also recorded its condolences on the deaths of Mr. Aftab Ahmed Khan and Moulvi Mazhar-ul-Huq.

## The Muslim All Parties Conference

An interesting discussion took place at a meeting of the Executive Board of the All-India Muslim All Parties' Conference held at New Delhi on the 18th. March 1930. Moulana Mahomed Ali was in the chair. The attitude of the All-India Muslim Conference towards the All-Parties' Conference convened by Sir Tej Bahadur Sapru was discussed at some length, but it was eventually decided not to give any mandate on the subject, on the distinct understanding that the members on the Committee of the All-Parties' Conference were there only in their individual capacity and that if an understanding between the Hindus and Mussalmans was arrived at it would be placed before the All-India Muslim Conference for its approval and consent.

The second resolution, which was moved by Seth Haji Abdoola Haroon ran as follows:—

"The Executive Board of the All-India Muslim Conference welcome the reunion

brought about by the organisers, and requests the League to join the All-India Muslim Conference."

Discussion on this resolution centred round the question whether the Shafi League was merged into the Jinnah League or vice versa. If the case was the latter then this resolution was considered by some to be unnecessary in view of the fact that the Shafi League had already joined the Conference. If it was the former it was considered that they should not make such a request to the League in view of its past attitude. It was eventually decided that those members of the Executive Board who were members of the League should press this point at the next Council meeting of the League.

The next resolution was regarding the attitude of the Muslims towards the Civil Disobedience movement. It was felt that Mussalmans could not take part in this civil disobedience movement as it was not really a movement for independence, but a movement calculated to 'frighten' the Government into accepting Dominion Status with the communal settlement embodied in the Nehru Report. But it was felt by some members that they should not support the Government if the latter adopted a policy of repression (From The Hindu Madras).

### The U. P. Muslim Conference

The following are extracts from the presidential address delivered by Raja Syed Ahmad Ali Khan Alvi, Raja of Salampur, at the first session of the U. P. Muslim Conference held at Muzaffarnagar on April 19, 20 and 21 :-

#### VICEROY'S ANNOUNCEMENT

His Excellency the Viceroy's announcement regarding Dominion Status and the Round Table Conference has been acclaimed by all practically-minded politicians as a piece of wise and far-sighted statesmanship. The definition of India's goal has gone a great way in clarifying the political situation, and to my mind, should Dominion Status be granted at no distant date, a large number of Hindus will feel satisfied and if the Muslim demands are embodied in the future constitution it will fully satisfy the Muslims of India as well. The decision of His Majesty's Government to convene a Round Table Conference has been generally welcomed. As far as the Muslims are concerned, they are almost unanimous on giving it a fair trial, as it offers a very good opportunity to Indians of every shade of opinion, not excluding even those who are in favour of complete independence, to place their demands before and discuss them freely with the representatives of the British Government. I hope that the Government will derive the fullest advantage from the present opportunity by not only taking note of the views of our extremist section but also by conceding to us our irreducible demands which are, we submit, reasonable and moderate. The All-India Muslim Conference is the most important body that can rightly claim to have behind it the sanction of the entire Muslim community and I venture to appeal to the Government that, when making a selection of representative Indians for the Round Table Conference, this body should be asked to send a panel of its nominees to His Excellency the Viceroy for making final choice. It is only in the hands of our accredited representatives that we can safely entrust our cause to be represented before the Round Table Conference.

#### PATRO COMMITTEE

In order to derive the fullest benefit from the proposed Round Table Conference and with a view to avoid any friction on the Communal Problem it is the supreme need of the moment to settle the question amongst ourselves before our representatives sail for England. The initiative taken by Sir Tej Bahadur Sapru, therefore, in this matter deserves our thanks, and we have done the right thing in co-operating with the Liberals in their commendable efforts.

#### SEPARATE ELECTORATES

Out of the 13 demands embodied in the resolution of the All-India Muslim Conference, the one for the present system of separate electorates deserves special emphasis. To my mind it forms the pivot of the whole structure of Indian constitution in so far as the protection of Muslim rights are concerned. We firmly believe that in the existing conditions when communal feelings are so dreadfully rampant, separate electorates are absolutely indispensable. The system of reservation of seats

as suggested by some men—can only serve the purposes of those Muslims who may want the benefit themselves by carrying out the behests of the majority community and remaining subservient to its wishes, but if it becomes known that a Muslim candidate would act independently and would honestly try, among other things, to look after the interest of his community he would at once forfeit the confidence and good-will of Hindu voters and would have no chance of election, because in joint electorates and with reservation of seats Hindu electors would always be in a majority in most of the provinces of India.

### The Bengal Muslim Political Conference

The Bengal Muslim Political Conference held at Chittagong passed the following resolution on the 21st April and finished its proceedings before 9 p. m. owing to the curfew order issued in connection with the sensational activities at Chittagong at that time. Mr. Ashrafuddin Ahmed presided and over 500 people including many Ulemas and educationists, were present. The following resolutions were passed unanimously—

(a) This Political Conference identifies itself entirely and whole-heartedly with the national goal of complete Independence for India, the common Motherland of all sister communities.

(2) That this conference urges the Muslim community to co-operate in every legitimate way possible for the attainment of Swaraj and democratic freedom, which is fully in accord with Islamic traditions and Quranic injunctions.

(3) That this conference calls upon the entire Muslim community to become members of the Indian National Congress and to establish their inalienable claim to complete political, economic and social emancipation and development by taking the fullest share in all national activities and service, and in the fight for national constitutional freedom.

(4) That Muslims should make equal sacrifice with all sister communities and take an honourable part in the civil disobedience movement; and as a first step, should join the satyagrahis in breaking the morally indefensible salt monopoly by the British Government in India, and should actually and without concealment make salt wherever God's sea water or saline earth make it possible to do so.

(5) That this Conference considers it politic and desirable to continue some separate Muslim organisation, just as all other communities are doing, purely for the sake of social reform, and educational, economic and incidental political work affecting only Muslims, while working for the main political emancipation and self-development of the nation through the National Congress organisation.

(6) That this conference condemns the Government's policy of brutal and inhuman assaulting, beating and belabouring of the non-violent Satyagrahis with lathis and other weapons, and expresses its indignation in Government not allowing the national ambulance corps to nurse and serve the wounded satyagrahi in several places and congratulates the satyagrahi soldiers for their courage, patience and suffering against the greatest provocations given by the officials.

### The B. & O. All-Party Muslim Conference]

Sir Abdur Rahim presiding over the Behar and Orissa All Party Muslim Conference held at Patna on the 28th April 1930, in course of his speech said:—

"The main pillars on which the whole structure of the Simon Recommendations is supported are the problems relating to North West Frontier Province, the Indian States and the Hindu-Muslim rivalries and dissensions. Foreign aggression is a contingency for which every country is bound to make adequate provision. But we do not admit the proposition that an Indian Army efficient for all purposes of defence and for keeping internal peace, cannot be raised within a given period of time. We all recognise that the problem is not without its difficulties. But I am sure that if the Government only took up the task in earnest they would soon be overcome. Why should not military colleges for imparting training in all arms be established in India? India will not grudge the cost. The Indian Frontier on the North West must always remain liable to tribal raids. The history of India does not show that these tribes were a serious menace to the peace of the country before

the British took possession of the Punjab and Peshawar. When so many commissions are appointed every day, why not another commission to investigate the possibilities of securing some permanent and effective understanding with these tribes? Is it fair to the country or inevitable that it must be always dependent on Britain for purposes of defence?

"The Commissioners propose that the British Parliament is to continue to be responsible for India's good government and the Secretary of State who, as we all know, is the successor of the President of the Board of Control of the East India Company, must remain as the controlling and directing agent laying down the policy for the governance of the country to be executed by the Governor-General and the Governors. This means that the Indian Government is to remain a subordinate government responsible to the British Parliament and in no sense irresponsible to the people of India.

"The Commissioners hold that the members of the Assembly to be hereafter called the Federal Assembly should be directly elected by the people because "Delhi is far off" and it is impossible for the constituency to keep watch over the activities of their representatives. And we then to suppose that White Hall is nearer? This proposal is made by the Commissioners though in the same breath they admit that the Assembly has achieved a creditable record of work. This is a serious retrograde step. One could have understood a proposal that one of the two houses should be a house of representatives to be elected, as the Assembly now is, by means of direct election by the people, and the other a federal chamber consisting of men returned by different legislative councils by means of single transferable votes with the functions of the two chambers suitably demarcated. The power of the Assembly over the Army budget is altogether taken away and there is ground for thinking that the Commissioners do not approve of the amount of influence which the Assembly has been exercising over the Government of India. This generally is their attitude towards the Assembly in the face of Indian public opinion clamouring for the introduction of responsibility in the Central Government with the exception during the transitional period of the Army administration and the departments of foreign and political relations.

"When we examine the constitution proposed for a unitary government the principle that seems to have been adopted leaves very little power to the legislature as possible and places every responsibility on the Governor's shoulders for all sorts of conceivable possibilities. The Governor has been given the discretion to appoint non-elected members who may be officials, which mean that the official element will remain in the government. The official members will henceforth be called Ministers. As there will be a joint responsibility they will go with the ministry when a vote of censure is passed but as they can be re-appointed the fate of their colleagues will seldom affect their position. Every attempt has been made to discourage the removal of a ministry once formed. A free hand has been given to the Governor in selecting ministers and having regard to the composition of the Council and the presence in the ministry of one or more members of the powerful Civil Service the result as experience shows will be that ordinarily it will be extremely difficult for the Legislature to get rid of an incompetent and inefficient ministry and replacing it by a ministry enjoying its confidence.

"The distinction between the votable and non-votable items is to remain in the provincial councils and in the Central Assembly. Why in the former when the principle of reservation is abolished? The Governor like the Governor-General with respect to the central budget can in certain eventualities even restore grants. In fact many of the principal features of the dyarchic system are retained and certain amendments have been made, which again are counteracted by new provisions. The Indian opinion has no objection to certain emergency powers being vested in the Governor-General or the Governor but these must be so defined as to be applicable only in case of a clear emergency such as complete break-down of the Government or where the safety of a province is involved.

"It is not merely a question of the prestige of the ministers or even their powers: what is involved is that while the action of the ministers or the ministry is subject to the control and direction of the Governor, the Governor himself not being in touch with the Council or the country is not in a position to formulate any policy or measure of his own. A most serious result of the proposals made by the Commissioners in the aggregate is that the system which they sponsor would not encourage a man of talent who has defined any great policy and measures for the benefit of the people and has been able to secure a majority in the Council to get

them passed into law unless the Governor sees eye to eye with him. He may not be asked to form a ministry or be selected at all. The system in fact is such that all initiative would be blunted and no great leader of the people can be accommodated in the Government. The restrictions on the power of the legislature to control the executive are indeed the dominant feature of the entire scheme. But unless the Government is made really responsible to the legislature it may be doubted whether extended franchise with the enlarged councils, are worth the cost it would involve even as a means of political education of the people upon which the Commissioners rightly lay great stress.

"Now let us look at the whole position from the point of view of special demands of the Mahomedans. The central idea of the All-parties Muslim Conference was that there should be at least some provinces in which the Mahomedans will have a chance of crying on the Government so that the best political talents among them might find an opportunity for self-expression and for carrying out measures for the benefit of the General population. The separate electorates have been retained, but it is doubtful whether considering the scheme as a whole it will be able to secure the end its advocates have in view. They never desired that even if in Bengal and in the Punjab, the Mahomedans were guaranteed representation on the population basis they should form and run a Government on communal basis. That is indeed amply guarded against by the power vested in the Governor to veto discriminatory legislation. All that they wanted was that if the number of the Mussalmans returned by their own electorates was sufficiently large they were likely to secure the support of the majority for such political programme as in their opinion would be advantageous to the country. In the provinces where they are in a minority they would be content with the majority community being similarly in a position to form a purely political party to run the Government.

"The Lucknow Pact has been retained intact although its effect is that in Bengal the Mussalmans remain permanently in the minority of less than 40 to 100 although both their population and voting strength according to the proposed extended franchise is 57 and odd per cent. In their case the retention of separate electorate is visited with a heavy penalty which may counterbalance its advantage. I see the force of the argument urged against reservation by Statute of a majority of the Indian elected seats be reserved for each community leaving the injustice done to the Bengal Muslims had represented to the Franchise Committee appointed in connection with the Montagu-Chelmsford reforms that the Lucknow Pact should be amended in favour of the Mussalmans of Bengal, suggesting, if I remember correctly, that their representation be fixed at 50 per cent, the same as for the Punjab Mussalmans. It is now for the Mussalmans of Bengal to consider seriously whether they should or should not discard separate electorates and take their chance in a common electorate according to extended franchise.

"As for the problem of the North West Frontier province I admit that it is to be seriously considered from the point of view of India as a whole. The Commissioners propose a Legislative Council for the province, half elected and half nominated with the power to tax and to legislate. This is a measure which is much too inadequate to meet the situation and I am convinced, that the real solution of this difficult problem lies in giving them responsible Government substantially on the same lines as the other provinces with such modifications as the special circumstances of the case may require. The experiment of treating it as a backward province has clearly failed and the rapid progress the people have made in education entitles them to ask for a civilised form of Government. If the Chief Commissioner is to remain as recommended the sole Executive then the Legislative Council would only be expected to carry on his wishes. There is no definite proposal to separate Sindh.

"From their general attitude towards the question raised by the Mahomedans it would appear that the Commissioners have at every step laid emphasis on communal divisions and rivalries. As an effective obstacle to the attainment by India of a Government responsible to the people and as a justification for shutting out any substantial political advance of the country while what the Mussalmans equally with the other communities wanted was responsible government for the country with an additional demand that reasonable safe-guards should be provided in the constitution against any possible over-riding of their rights by any communally inclined Government."

# Students' Conferences

## The All Bengal Students' Association

Splendid response was made by the student community of Calcutta to the appeal issued by the All-Bengal Students' Association to observe the 9th of February (Sunday) as the Students' Day. This was not, as the president of the All-Bengal Students' Day celebration sub-committee put it, the anniversary of any particular day. It was the anniversary of the ideas underlying the Student Movement. The third of February is considered as a red-letter day in the history of the Student Movement in Bengal in as much as it was on that day that the students felt that they are a class and perhaps the most important class in the community and as such they have distinctive interests, duties and rights apart from the general interests of the community to which they belong.

In the early hours of the morning musical processions paraded the streets while volunteers with A. B. S. A. badges were busy throughout the day in making collections in order that the aims and objects for which the Student Movement stood could be effectively carried out. Promoters of the movement were not unmindful of the spectacular side of the demonstrations. Rockets and shells packed with leaflets were displayed by the Simla Byam Samity in the evening. Demonstrations of physical feats, drills and parades were also held by the Samity.

### DR. RAMAN'S SPEECH

In the evening students including a large number of ladies mustered strong at a meeting at the Senate Hall under the presidency of Prof. Nirmal Chandra Bhattacharjee. Addressing the gathering Sir C. V. Raman said :

"Truly it may be said that 60 or 70 years of University education in India have been productive more of weeds and tares than of profitable corn and fruit. And that is because education in India, as I conceive it, has been largely divorced from the real needs of the country and its people. We have been content largely to copy the methods of this or that University abroad, and to imagine that the ideal of perfection is reached when we copy this or that University in the closest manner possible. In this connection let me tell you a story. I visited Cambridge in the year 1921. I happened to be walking with Sir Ernest Rutherford, the great Physicist and was struck when I saw that in the middle of the day many of the young students of the University were playing tennis and other games. This somewhat shocked my susceptibilities as a scholar and I remarked, "Sir Ernest, it seems to me that Cambridge is a place for play and not for study." Sir Ernest replied : "We do not seek in this University to manufacture book-worms. We seek to produce men who can govern an empire."

"Truly the function of a University is not to manufacture book-worms ; it is to make men who can worthily hold their own in life and show that they are worthy sons of a worthy country. That is the function of a University. We, in India, have no empires to govern. we have no colonies to rule. But we have our own country in which we seek to live—in which we seek to find expression for our national culture and our national genius.

"And so our Universities have to seek to perform this task of training her sons and daughters so that they may be worthy citizens and find avocations in which they can bring happiness to themselves and honour to their country.

"And so it is, that if you, young students, desire to have an education of the kind that is worth having you will have to feel that you are the architects of your own future and the future of your country. You will have to take the matter in your own hands. You have to organise, you have to think out what kind of education you desire to have ; you will have to seek to create conditions which will secure for you the right type of education, the right kind of opportunities and the right kind of freedom for achievement.

"In the course of my travels abroad I had the privilege of visiting some of the Universities in Germany. To-day Germany is a country that is passing through circumstances of great difficulty. She has had to pay the penalty for the sins of her rulers. But one thing impressed me and that is the great spirit of her people, the great spirit of her young men, their determination to rise superior to all the difficulties

and to show that Germany had a culture of her own, that she has an unquenchable thirst for knowledge—an indomitable spirit to assert herself and to show that, sooner or later, a time will come when Germany will again have to be recognised as one of the foremost nations of her people—a great spirit. And, to my mind, this is an example which we, in India, may do well to follow. The spirit of a people is best shown, not when they are triumphant, not when they are dominant, when they have achieved a great destiny, but when they are working in circumstances of great difficulty.

“What impressed me in Germany was that there was not a single individual, either in the Universities or outside them, who suffered from the spirit of defeatism; there was no one who had developed the most dangerous of all complexes: the inferiority complex (Applause). Everywhere there was hope, there was confidence in the future of the motherland—a confidence that whatever might be her position to-day, a day would come when she would once again secure her place under the sun. Now, my young friends, that is the spirit—the spirit of confidence that we have to strive to have and to develop.

“Having lived 23 years of my life in Bengal I know something of the great difficulties in which Bengal lives and suffers to-day. These difficulties I need not detail. These difficulties are disease, poverty and helplessness. These difficulties are great; they are serious. But I ask you: Do you intend to remain helpless and imagine that these difficulties are insurmountable and there is nothing that can be done to overcome them? The spirit of defeatism—the spirit of the inferiority complex—that is the prelude to the death of a nation. The moment you feel that these circumstances can not be set aside, cannot be overcome, that moment it is as well to write yourselves down as an extinct nation. What you have to do is to look around and try to solve these problems in a small way, little by little, and to build up for yourselves happier environments in which the genius of the people can find free expression. Lessons of self-help, self-realisation and self-confidence—these will not be taught to you by the older men. These must come to you from the spirit of youth. Youth—the unquenchable fire of youth—that is what can solve the problems of Bengal and not the cautious and halting counsels of the aged. At the same time, my young friends, I would like to emphasise that you should not be one-sided in your activities. To my mind one of the greatest necessities of to-day, both in Bengal and India, is to realise the part in national welfare played by constructive intellectual activity.

“What I am trying to bring home to you is this: There are two kinds of heroism. One kind of heroism is that which shows itself in the desire to do something all at once—the kind of heroism that led people in the last Great War to make the supreme sacrifice for their country. But there is a better kind of heroism—the heroism, not of isolated action but the heroism that shows itself in the constant application to the daily task, in the inflexible determination to overcome difficulties and to create a new environment. That kind of heroism is greater and of a higher type than the temporary emotional kind of heroism that shows itself in the will to sacrifice. What I desire to emphasise to you my young friends is this: Seek to assert yourselves, seek to create new environments for yourself by solid constructive work—work that can never allow itself to be diverted into this or that path but will go on the straight path with fixed concentration till the end is achieved. That is the kind of heroism that we, in India, need to-day; that is the kind of heroism which, if it becomes, as it ought to be, a common phenomenon, will secure for India a place in the sun—the place that she desires.

“Wherever I went, there was, at least in the circles in which I was privileged to move, a realisation that India, by her great past and by her present position, had the unquestioned right to develop her own culture for the continuation of the long and glorious history of her people. It was everywhere realised that we are not to be classed with the disappearing types of Bush Australians or Red Indians. We are a people who have the right to live and live in circumstances which we determine for ourselves. That feeling regarding India may not have found expression in the columns of the newspapers; but it is there in the intelligentsia of Europe—among those who have eyes to see and ears to hear. They may not always deem it advisable to write it down but they give expression to it in conversation. That great task lies before you. It is for you to seek just what you require. That spirit would take you long way towards the achievement of those ideals in the different fields of life which you will seek to establish.

“Take for example, the field for educational activities. To my mind it is most necessary that the Indian Universities should get clear away from the accumulations of 50 years' apathy towards the true needs of Indian intellectual advance-

ment. Our university education is obsessed by the examination system ; it is obsessed with effete and old dogmas , it is obsessed with curricula and syllabuses. It pays no attention to the great need of education and that is the assertion of the intellectual freedom, both of the teachers and the taught. Perhaps, more recently, there has been in our universities some recognition of this great need—a slight recognition which has not yet transformed our outlook on our educational problems.

"Take for example, the way in which the Post-Graduate Department is conducted. When I was called upon to deliver lectures to the M Sc students in Physics I received from the Secretary Post Graduate Council of Teaching in Science a roll-book in which the names of the students were entered and I was asked to take roll-call every time I delivered a lecture. I tell you my instinct rebelled against the idea. Perhaps once in a way in order to get myself acquainted with the names of the students I could have done it. But imagine time after time you have to make a roll-call to find whether students were attending my lectures or not. That, to my mind, is an unjustifiable affront, both to my commonsense and upon the good faith of my students. I felt that if the students did not care to attend my lectures except under the discipline of a roll-call, I would rather that they did not attend my lectures. That is the spirit in which the Post-Graduate Department ought to be conducted. I can tell you another story. I was deeply and profoundly impressed by the necessity of giving the students of the Physics Department of the University College of Science free access to the books of the College library. I arranged that books and journals were to be put in open racks and I made a rule that each and every student could take out the books leaving an issue card. In one sense I wanted to see whether the students realised the trust I was prepared to place in them. What happened? (Laughter). I was not here to see the result of my experiment. But when I came back from Europe I was told by my colleagues that the books had disappeared in the most alarming way (Laughter). The library is now kept open for the students only for one hour of the day and the books have been placed in a wire-netted rack. However much one may encourage the love of books, one cannot encourage the sort of love which is carried so far as to lead to the disappearance of the books. I do not know who was responsible for the disappearance of the books. But I am sure whoever did it has done a great and profound injury to the interests of the students. And I would ask you to make it one of the duties of your Association to prevent this kind of damage being done to the interests of the students. To my mind there is no greater privilege for a genuine student than to be able to handle and read books without let or hindrance.

"I like to see that students have intellectual honesty, intellectual independence while they preserve decorum and due forms of respect for the professors not carrying that respect to the point of intellectual subservience. What you have to cultivate among yourselves is the desire that you should be respected. Do not imagine when I say this that I am speaking from the point of view of students alone. To my mind it is a mistake to imagine that professors in a University benefit the students and not vice-versa. In a true university it is not only the students who benefit from the teaching of the professors but it is also the professors who benefit from their being in touch with the students. It is the contact between older minds stored with knowledge and perhaps not so responsive to new ideas, and fresh young minds unhampered by excess of knowledge, but full of the desire to learn, it is the contact between old and young minds that leads to real advancement of knowledge and there is no greater privilege for a professor than to have as students young men who while yielding to none in their respect for his professor, have none the less the courage of their convictions who while prepared to learn are also prepared to teach if occasion demands it. This is the true spirit of the relationship between the professors and the students. Whether such relationship can be established and happily carried out depends to a very large extent on yourselves. You must shake off the spirit of the inferiority complex.

"In the world of knowledge we are now seeking to create a new heaven and a new earth. Knowledge is undergoing a continual transformation, it is receiving new impetus every day. And what we find in the field of Physics and I believe in other Sciences is this : Young minds in the Universities by coming to grips with the problems still unsolved under the leadership of the older minds are succeeding in finding a way to new achievements. In the Universities of Europe you find to-day occupying honoured chairs young men 20, 22 or 25 years old. Science teaches up the gospel of youth. Youth alone can break through the



traditions—rigid and discarded beliefs, to find a way to new achievements and I ask you my young friends to realise that call to exert yourselves and seek the truth, not the knowledge that lies buried in books but the true knowledge that can only come from intellectual effort. It would be a great mistake to imagine that the mere desire—the mere expression of emotion—will carry you to the desired end. It is the gospel of work, it is the gospel of strenuous endeavour that I wish to preach to you to-day.” “If you really seek to reach the aims of your Association”, concluded Dr. Raman, “if you really desire that Bengal should once again reach her destiny, it is for you, by hard labour, by strenuous thought, by devotion to the interests of your Alma Mater and of your country that that great destiny can be achieved.”

#### The Secretary's Statement

Sj. Ajit Dutt, Secretary of the All-Bengal Students' Day Celebrations sub-committee then read the following statement at the meeting —

Mr. President, Dr Raman, Ladies and gentlemen,

It was this day that the students felt that they are a class and perhaps the most important class in the community and as such they have distinctive interests, duties and rights apart from the general interests of the community to which they belong. It was this day that they felt (rightly or wrongly) that their rights are being trampled down and their duties hampered in the most ruthless manner. And they felt the necessity of organisation, the necessity of concerted action to protect their rights and interests from the aggressions of alien forces so that they might perform their duties towards their community and country unhampered. “Students all over the world are awakening to the sense of their responsibilities, duties and ‘rights in the body politic of a nation,’ and it was not too early that the students in India got the infection. They were smearing under the present system of education which they were feeling to be utterly inadequate to make them capable to fight out their way in the world. While it was undermining their health and sapping their energy they were getting nothing more than the limited knowledge of some carefully selected text books. The student movement which got its start on that day is in reality an expression of the hunger for more knowledge, an endeavour to travel beyond the text books. It is a creative movement and aims at rejuvenating India out of its present putrescent state. India at present is a politically, culturally and economically subjugated country. (?) It is the ambition of the promoters of the student movement (if I am permitted to quote a great thinker of India) “to create a vigorous, energetic, radical-minded youthful intelligentsia which will bring about the desired transformation.” Student movement aspires to create a new India, a modern India free from the moral stupor under which she is suffering, her irremediable conservatism and aversion to progress.

It was this day that this new consciousness found its way out and took a concrete shape. The students all over India felt a new urge to action, a new inspiration “to wean themselves away from mid-victorian ideologies and catch up the time spirit.” The All-Bengal Students' Association is the result of that awakening and stands as an embodiment of the solidarity of intellectual youths. We are confident that with your co-operation it will not be difficult for us to inaugurate a country wide movement of cultural renaissance. The movement is often misconstrued as a left-wing movement of the Congress. We may assure you all that it is nothing of the kind. We do not fight shy of politics and we do not believe that it is possible for students now or in future to keep themselves aloof from politics but it is our ambition first to create an atmosphere where politics will not be mere war of words but real action. Our programme of work (as enunciated in Bulletin No. 1) and past activities in the domain of cultural regeneration will I hope convince you as to the truth of my statement. Our study circles, scheme of statistical Research work, and adult education movement, extension lectures and debates in the student parliament will also bear proof to my assertion. This is the anniversary not of any particular day. It is the anniversary of the ideas underlying the student movement. On this occasion it is my appeal to you all on behalf of the A. B. S. A. to extend your sympathy and co-operation to this infant but promising movement. Before I sit down I must express our gratitude to those but for whose help the celebration would never have been a success. On behalf of the Association I thank Dr. Raman for his kindly acceding to our request to be amongst us to-day. The donors, the business concerns which have helped us, and the generous public who have extended their helping hand all deserve our heartfelt thanks.

## The All Bengal Students' Convention

There was a striking and convincing demonstration of the fact that the student world of Bengal has been stirred to its very depth by the country-wide ferment created by the unique struggle for independence launched by Mahatma Gandhi, on Sunday noon, the 6th April 1930 at Albert Hall, Calcutta when the special session of the All-Bengal Students' Convention was held under the auspices of the All-Bengal Students' Association in an atmosphere of solemnity and serenity to discuss and decide upon the duties of the student community in the history of the nation's struggle for independence. There was writ large on every face the intense desire to contribute his quota to the national struggle. Every heart throbbed with a new pulsation. An atmosphere of perfect serenity and peacefulness prevailed. 700 delegates from different District Associations affiliated to the All-Bengal Students' Association attended the Convention. The All-Bengal Students' Association requested the office-bearers of the Bengal Presidency Students' Association to participate in the deliberation of this momentous Convention. They however did not respond to this invitation.

The proceedings of the Convention commenced at 1-15 p.m. Until the arrival of Sj. J. M. Sen-Gupta, president of the Convention, Sj Sachindra Nath Mitter occupied the chair. Sj. Sen-Gupta arrived at 2 p.m. and received a tremendous ovation.

### Resolutions

After the address of welcome had been read by Sj. B. N. Das Gupta, General Secy. the following resolutions were adopted:—

(a) That this All Bengal Students' Convention sincerely believes that every movement in the struggle for freedom is a step forward to the attainment of success. The Convention equally believes that no movement can be said to be a fight to the finish and that freedom comes not from the brain of a single individual but as the result of many contributing factors known and unknown.

(b) That in the opinion of this All Bengal Students' Convention the present Civil Disobedience campaign started by Mahatma Gandhi has a twofold value. Firstly it will help to kindle the spirit of revolution in the masses and secondly, it will strike hard at the root of the spirit of co-operation in that section of the intelligentsia which is bureaucratically-minded.

(c) This Convention emphatically urges upon those students who are not at present going to join the Civil Disobedience movement to take up active propaganda work for Civil-Disobedience in the villages and further requests them to go in batches to different parts of the province to preach the ideals of revolution amongst the peasants and workers.

### Presidents' Speech

Addressing the Convention Sj. J. M. Sen-Gupta said:—

"Friends, you have met to decide your course of action at a critical stage in the history of the nation's struggle for independence. There are some amongst us who are doubtful about the expediency of disturbing the students by again asking them to join the present movement. I do not think that it was at all a mistake on our part to ask the students to come out of schools or colleges in 1921. No doubt we were inexperienced then and some of the hardships and mistakes could be avoided. But in spite of our inexperience we have it on the authority of a High Government official that in 1921 we were within an ace of success."

Proceeding Sj. Sen-Gupta said: "Personally so far as the present struggle is concerned, I am convinced that it will lead to our cherished goal. Nowhere has any movement succeeded without the active support of the students. What we achieved in the Non-co-operation days was due to the support from students."

"During the non-co-operation days" said Sj. Sen-Gupta, "there was less intellectual appreciation of the movement on the part of those who joined it. But this time every one was joining the struggle after having fully and intelligently studied the psychology of the movement, being at the same time quite alive to the consequences of their action. This was a hopeful feature of the situation."

Concluding Sj. Sen-Gupta appealed to the youths of Bengal to rally round the banner of Mahatma Gandhi. "Don't you", said he, "expect either education or home-comfort once you jump into the fight." This warning, said Sj. Sen-Gupta, was

necessary to guard against raising extravagant hopes in the mind of the students which was responsible for keen disappointment in 1921.

Sr. Santosh Kumar Bagchi, a member of the Rajshahi branch of the All-Bengal Students' Association who visited Mahishbathan on Sunday morning when the Salt Law was broken there under the auspices of Sr. Satish Chandra Das-Gupta of the Bengal Civil Dis-obedience Council, brought with him a chittack of salt manufactured at Mahishbathan which was sold in auction at the Convention for Rs. 100. (From 'Advance', Calcutta)

### The Andhra Students' Conference

The Andhra Students' Conference was held at Rajahmundry on the 8th. and 9th. February 1930 under the presidency of Mr. D. Trivikrama Rao.

In the course of his welcome address, M. R. V. Krishna Rao, Chairman of the Reception Committee, said :—

"Everybody agrees that the present system of education in India is not what it ought to be and if after over seventy years' of continual application the methods have failed to serve the people and the country, it is time enough that the universities should be closed. Indian Universities of to-day have not the natural life that pulsated in the veins of the ancient Vidyapithas of Amaravati, Nalanda and Takhasila, nor the electric energy that sustains the modern universities of the west. It is perhaps no exaggeration if I say that they have turned out to be managing directors of firms which manufacture clerks to run the mechanism of British Bureaucracy in India.

"What else might be the aim of education in India, if it is not that of developing the individuality, maturing of intellect and equipping the person with tools to live the best of life? Education in a high school and more so in a college discourages independence of thought and trains the already tradition-trodden, custom-ridden Indian student to reveal in comfortable bondage and excel in clerk mentality. The student is brought up in happy oblivion and blissful ignorance of the vital matters of life as the subject of sex. Co-education is still looked upon as noxious to the 'morality' of society and it is surprising that, at this stage of national renaissance and awakening, there should be efforts on the part of our men to preclude a half of our nation, from the common benefits of education."

After referring to the outstanding drawbacks of the present-day education, he said :—

"It was ardently hoped that the Andhra University would to a certain extent at least be better than her sister universities. But it has lead to Andhra division and typical patriotism. Already in the adept hands of a benign of step-mother it has assumed stunted growth. Even in its childhood so many maladies beset her and there are few hopes of its healthy survival. Unless it shall be what others are to be I don't think we will be sorry even if it ceases to exist, nor it is advisable to waste our energies over puny creations as such."

#### PRESIDENTIAL ADDRESS

Then Mr. D. Trivikrama Rao, in the course of an extempore speech, explained at length the doctrines of freedom of speech, freedom of thought, and freedom of action. He said that these three doctrines were the inherent rights of a free man and that any State or society, which aimed at the withdrawal of these elementary rights, would not last long. Continuing, Mr. Trivikrama Rao observed that great revolutions had been going on in the thought world and that communism which was abhorred a few years ago by many a nation had become very familiar with many nationalities, though it had not yet become popular. Proceeding, he strongly condemned the Theory of Empire and Imperialism. He was glad to note that the Great European War of 1914 had given a blow to those ideas and that the Russian and German Empires were themes of the past.

Coming to the vexed question of the Andhra University, he observed that it was a political by-product. He deplored the unhappy quarrels that had followed in the wake of the Andhra University. He lamented the separation of the Ceded Districts from the Orissas. He pleaded for the unity of the Andhra race. He urged the abolition of the Andhra University if it was not possible for the Andhra leaders to bring in the Ceded Districts into the Andhra University area. He appealed to the

leaders to call for a round table conference at an early date to solve this problem. He hoped that the Round Table Conference would end in the much-desired unity of the Andhra race. In conclusion, he appealed to the students to utilise their holidays for the upheaval of the villages. He explained the beauties of village life and the duties of students towards villagers.

#### RESOLUTIONS

The conference resumed its sittings on the second day at 2 p. m. Over thirty resolutions were adopted of which the following are important.—

The Conference criticised the low percentage of passes in the Inter and B. A. examinations of the Andhra University.

The Conference begged of the university authorities to make Telugu the medium of instruction in the college classes at an early date. It was also pointed out by the conference that in Girls' High Schools in the Circars, all subjects were taught in English from the First Form upwards and that such a suicidal policy should be put an end to at an early date.

The Conference, after offering congratulations to Harbilas Sarda, supported the Sarda Act strongly.

The Conference called upon the Andhra students to learn Hindi the common language of India.

The Conference urged the Andhra University authorities to start a college for women in the Andhra University area at an early date.

After an interesting and lengthy discussion the Conference requested the Andhra University authorities to conduct the medical examination at Vizagapatam, instead of at Madras.

The Conference condemned strongly the enhanced rate of fees for the Inter and B. A. examinations of the Andhra University.

The Conference put up a very strong fight against the use of tobacco in any form. The house, by an overwhelming majority, voted for the boycott of tobacco in all forms and shapes.

The Conference brought to the notice of the Andhra University authorities the necessity of starting the post-graduate course at an early date in the Andhra University area.

The Conference also drew the attention of the Andhra University authorities to the necessity of making arrangements for the study of Uriya language, as a second language, in the colleges located in the Andhra University area.

The Conference paid its respects to the memory of Jatin Das, who had sacrificed himself on the altar of Mother India.

The Conference congratulated Babu Subhas Chandra Bose and Mr. Annapurniah on their courage and patriotism and for their sufferings at present within the British jails.

The Conference exhorted the students to boycott foreign goods as far as possible.

The Conference requested the Andhra University authorities to encourage female education by creating special facilities such as half-scholarships to the girls and ladies studying in the high schools and colleges within the jurisdiction of the Andhra University area.

The Conference after a prolonged and interesting debate, adopted a resolution in favour of the Round Table Conference to solve the vexed question of the Andhra University.

A resolution to the effect that the differences in the Law of Inheritance relating to sons and daughters be removed immediately and that sons and daughters be allowed to share the properties of the parents equally was carried by an overwhelming majority in spite of serious opposition. (From 'Hindu,' Madras)

# Depressed Classes Conferences

## The Madras Depressed Classes Conference

The third session of the Madras Provincial Depressed Classes Conference was held on the 12th March 1930 at Tirupapuliyur (Cuddalore) in the presence of a large gathering. Prominent citizens of the town and also of the district were present. Dr. C. Natesa Mudaliar, President-elect, Dr. Subbaroyan and Mr S Muthia Mudaliar were taken in procession to the conference pandal. Mr. Muthia Mudaliar unfurled the flag and wished the Adi-Dravidas to improve their economic and social position.

Dr. Subbaroyan, in opening the conference, referred to the recent introduction of joint-electorates in districts and local boards and said that if this provision worked harmfully to the minority communities he would assure them, on Government's behalf, that the provision would be removed. Their progress depended on themselves and he was sure such conferences would help this forward movement.

The President then delivered his addresses, in the course of which he said :—

" Our country has been one, which has always advocated no change. "No change" is the cry everywhere, at least in the orthodox section, and even amongst you, I know, there are many who would advocate no change and who would be content to go on in the old groove of starvation, poverty, ignorance and untouchability, because whenever you turn away from the grooves, you meet with brushing opposition and difficulties. You have got to undergo sufferings and difficulties if only your children may reap the benefit of your toils, and I want to shake off your slovenliness, to stir yourselves to activity and to raise from your present degradation. You have been sleeping for centuries and it may not be an easy task for you to shake off the slumber, but you have got to do it. My brethren, the country wants you. With your help and safeguarding your interests and the interests of the other communities the country wants immediate dominion status. Thanks to the exertion of Lord Irwin our well-meaning Viceroy, in this direction. With one mass of humanity in a most degraded position we cannot call ourselves a self-respecting and an ideal nation. My brethren, it is the duty of the caste Hindus, if they are lovers of the country, to co-operate with you and to assist you in your attempts to lift yourself up. Educate your children, work hard to earn more, live cleanly lives, shun intoxicants and live better."

### Resolutions

Resolutions were then adopted without much discussion requesting Government to appoint two Deputy Labour Commissioners for the province, to have Deputy Collectors posted as District Labour Officers, to abolish the hereditary right to appointments as village officers and to constitute a commission to enquire into the condition of agricultural labourers and lease-holders and suggest remedies for their grievances. By another resolution the local bodies were requested to give their foremost attention to the cherries in the matter of rural reconstruction. Another resolution moved by Mr. R. Srinivasan and accepted by the House urged on the Government the need for giving the Sarda Act wide publicity by beat of drums in all cherries and urban areas so that people might not violate the provisions of the Act unwittingly. Government was also requested to give due publicity to their G. O. No. 2660 of 25-9-1929 regarding the use of public wells and roads.

### DEMAND FOR SEPARATE ELECTORATE

Mr. R. Srinivasan then moved the following resolution :—"That this Conference requests His Excellency the Governor to re-commit for the consideration of the Legislative Council the amended acts of District Municipalities and local boards with a view to grant separate electorates to depressed classes professing the Hindu religion."

Mr. Srinivasan said that the depressed classes were not sufficiently educated politically or otherwise and they may not know the full value of the vote for some time to come. It was not rare, he said, when there had been instances of votes of Adi-Dravidas being obtained by promises of a treat to a pot of liquor. In a general electorate the depressed classes could never hope to have a real representative of theirs returned. He suggested separate electorates only as a temporary measure.

Mr. E. Kannan seconding the resolution said that the joint electorate was a cunning system which would do great harm to their interests. What was good, he asked, of giving the depressed classes joint electorates when the caste Hindus could not be approached by them and it was considered an arrogance for an Adi-Dravida to write a letter to a Hindu of the higher castes.

Mr. N. Dandapani Pillai moved another resolution that joint electorates might be retained provided that seats were reserved on the bodies adequate to the numerical strength of the Adi-Dravidas but this was not pressed.

Mr. V. I. Muniswami Pillai said that under the two Acts it was not obligatory on the Government to reserve seats for the depressed classes and in these circumstances if they were to contest elections from joint constituencies they would have to face great hardships.

After some further discussion Mr. Srinivasan's resolution was passed.

#### TEMPLE ENTRY QUESTION

Mr. R. Srinivasan then moved the following resolution relating to temple entry

"This Conference resolves that with regard to entry into Hindu temples, the depressed classes should not attempt any forcible entry but try to assert their rights wherever they are entitled to them and to agitate continually for them"

There was a prolonged discussion on this resolution and several delegates from Pondicherry and Porto Novo spoke feelingly on the denial to them of the right of entry. Messrs. Arpudaswami Luther, N. Dandapani Pillai and J. N. Ramanathan participated in the discussion and advocated the starting of satyagraha immediately for securing the right to enter temples and even lay down their lives if need be for the cause. Mr. A. S. Sahajanada said that while he felt with everybody this disability, he would like to warn them of the dangers of passing brave resolutions and backing out when the time for action came. If they were denied the right to enter temples it was not the Brahmins who should be blamed for it, but the Padayachi, the Naicker, the Vellala and other caste Hindus that prevented them. Where opposition did not come from any of these quarters, there was the police official and the Government who prevented them, as it was said, in the interests of public peace. He was of opinion that the present state of things could be set right by constitutional means and legislation could easily be introduced on the matter if only all their Adi-Dravida representatives in the Legislative Council fought for it as one man. In conclusion he appealed to the mover to withdraw the resolution.

The house permitted its withdrawal whereupon Mr J. N. Ramanathan walked out of the hall after entering his protest against this decision.

#### APPOINTMENT TO EXECUTIVE COUNCIL

About seven or eight other resolutions were then adopted without discussion. One of these was to request the British Government that if Dominion Status was to be granted to India, the interests of the depressed classes should be adequately safeguarded. Another urged on the local government the need for sending one or more members of the depressed classes to the ensuing Round Table Conference while by a third resolution moved by Mr. Muniswami Pillai and seconded by Mr. Dharmalingam Pillai, the conference requested government to appoint a member of the Adi-Dravida community to be a member of the Executive Council of the Madras Government in the vacancies about to arise therein.

#### OPPOSITION TO INDEPENDENCE MOVEMENT

Mr. V. I. Muniswami Pillai next moved :

"This Conference most emphatically condemns the action of the Indian National Congress in declaring independence and starting civil disobedience and calls upon all the peace-loving citizens to stand by the Government in resisting this revolutionary movement."

Mr. H. V. Jagannatham seconded the resolution which was also passed.

Other resolutions expressing their thanks to the Viceroy for the solicitude he evinced for the depressed classes and recording the services to the Federation of Messrs. Muniswami Pillai, Sahajananda, Srinivasan, Dharmalingam Pillai and R. Veerian were also accepted by the House.

The President in bringing the conference to a conclusion congratulated them on the successful session they had and thanked them for the honour they had conferred on him by asking him to preside over it. The conference then dissolved. (From 'Hindu,' Madras)

# Karnatak Non-Brahmin Conference

Mr. S. K. Hosmani, in the course of his Presidential address at the Karnatak Non-Brahmin Conference held on the 11th. May 1930. at Belgaum, observed :

Consistently with the maintenance of the integrity and individuality of our party, it is open to us to join either the Liberals or the Congress party. Let us compare the work done by the Liberals mostly through the Legislature, with that done by the Congressmen outside it. The awakening of the masses is due more to the Congress than to the Liberals through the legislatures and their other associations. Before the inauguration of the N. C. O. movement, political activity was confined practically to the cities. To the Mahatma is due the credit of carrying politics to villages from the cities, and to the masses from the classes. Of course the election campaign goes some way towards national consciousness. A review of the past work shows that this activity arises during the election campaigns and even then the candidates scarcely enlighten the masses on the vital issues on the right solution of which their well-being depends. The election propaganda has been anything but constitutional. Once elected, most of the members of the Legislatures scarcely keep themselves in touch with the electorates, with the result that the so-called representatives of the masses utterly fail to redress the grievances of those whom they represent. The recent Bardoli No-tax campaign is an eloquent and indubitable testimony of the work that could be done by the Congressmen outside the Legislatures. We must not, I think, fight shy of the fact that neither we nor the Liberals foresaw the out-standing defects inherent in the constitution of the Reforms of 1919. The Government cannot attribute the failure of Diarchy to anything like want of adequate response on our part. Unlike the Responsivists, we co-operated unconditionally with the Government patiently enduring public censure with the fond hope of doing some good to the dumb millions. We hoped to lend relief to the Rayat by reducing the high incidence of land tax. We could not. We endeavoured to rid him of illiteracy by making primary education free and compulsory. We failed. We tried to give him sufficient medical aid but there was no money. We could not save the victims of drink and drug lest education should starve. We keenly felt the necessity of reducing the much too heavy expenditure that the Military Department and the princely Indian Civil Service entailed. But these are the reserved subjects and as such beyond our control. In short, we failed not because we were inefficient and irresponsible, not even because the Government were apathetic, but because and only because Diarchy is a half-way house between responsibility and irresponsibility and on that account contains the seeds of failure within itself.

The Liberals who form the classes of India would be benefited if a few more high salaried posts are thrown open to the Indians and could wait for any length of time for full Dominion Government. But what of the masses? If the progress of the masses proceeds at the present rate it would take centuries for them to reach the level of the classes in education let alone the material side of their betterment. Unless the system of administration is changed as early as possible in such a way as to give sufficient powers to the Government of India, formed on a democratic basis called by whatever name, to substantially curtail the present heavy expenditure and to apply the money saved on reducing the taxation and the amelioration of the masses, I think there is no salvation for the masses. This is not at all possible in a dominion of India within the British Empire.

In the first place British Parliament is not going to offer Dominion Rule to India immediately nor even in the near future. The statement of Lord Russel, the Under-Secretary of State for India, and the speech of the Viceroy in the Assembly not to speak of Mr. Ramsay MacDonald's letter to Mr. Baldwin as well as the views of the imperialistic section of the British press warrant this statement. Ten years ago, we thought that we would have Swarajya in 1930. But we now find, that it is as far off as ever, nay it is even further off. Year in and year out the helpless Rayat is progressively deteriorating materially and morally. Every day of delay leads him nearer to starvation. Granting for the sake of argument that we shall get full Dominion Status immediately or within a decade or two the case for British connection with a place in the British Empire is by no means strong. We should never fail to note that

on every occasion, when the British introduced reforms in India, we are made to pay a very heavy price for the same. Strict limitations and hard conditions are imposed on that part of the Government, which is responsible to the people. Now, do you think that India under Dominion Rule will have the power to reduce the heavy expenditure of the Civil Services or of the Military Department? Do you think, in short, that the Dominion of India will have a constitution based on the 11 demands of Mahatma Gandhi? I do not think you have any reason to think so. It is believed by those in favour of British Connection that Dominion Status is virtual independence. Would it were so. But the truth is that Dominion Status is as far from freedom as independence is from subjection.

Let us not, therefore, yield to the temptation of wasting our energy on the proposed Round-Table Conference. Let us not either be optimistic about the Simon Commission's Report. We can easily anticipate their recommendations. It may be proposed to make the provinces autonomous in form but irresponsible in reality. The principle of Diarchy or something of the same sort may be introduced in the Central Government. The Simon Reforms will be as unworkable as were those of 1919. We made a mistake then. Let us not repeat it now.

For our party, there is nothing but to accept the Congress creed. I am sure the Liberals sooner or later will follow suit. Our decision to enter the Indian National Congress is likely to take some of you by storm. But your doubts, misgivings, and apprehensions will speedily vanish if you but carefully note that the step you propose to take is the logical conclusion of all that we have learnt by our long experience in the past. We propose to take the step for want of a better alternative. Let those who have reason to differ from us but convince us that we can follow profitably, of course, another course rather than the one we intend to pursue and we shall adopt the same forthwith. I have given the question prolonged thought. A better alternative is not to be found.

It may be said by some that by signing the Congress creed our party might lose its individuality. The fear is groundless. By proper organisation we can easily outnumber the classes in the Congress. Moreover even within the Congress we can form a group of our own, maintaining the integrity of our party intact.

The next question of importance is this: How far and in what way can we be useful to the Congress? The present programme of the Congress has two aspects—Civil Disobedience or Satyagraha, and the constructive one. I am afraid we may not at the present stage be able to undertake mass civil disobedience. Let me not be misunderstood. I say that we cannot be civil resisters at present for the simple reason that we lack the necessary training for so doing. Satyagraha is a perfectly legitimate and constitutional weapon inasmuch as the Satyagrahi breaks any law for the time being in force because he honestly believes that the law, which he is forced to defy, does greater harm than good to the country. We have every right to refuse payment of taxes when and so far as they are too heavy for us to bear or they are not used for purposes we have in view. However, we must take our own time to be able to practise Satyagraha. The risk of mass civil disobedience without exemplary discipline and sense of responsibility is too obvious.

To start with, therefore, our activities shall be confined to constructive work such as: (1) the formation of Congress Committees in the villages with a view to discourage litigation, the outstanding curse against which the villagers must be helped; (2) to fight the drink and drug evils not so much by picketing as by silent and persuasive house to house propaganda such as would induce the villagers to subject the morally depraved to such boycott; (3) to encourage physical development by starting gymnasiums; to start cottage industries such as khaddar production, etc. and boycott of foreign cloth and foreign articles; (4) to enlighten the ryot on the improved methods of agriculture and horticulture and the economy connected therewith. Of course the anti-untouchability propaganda also must be taken up in right earnest but with great care and skill. We cannot rid ourselves of the tyranny of custom in a moment.

It gives me profound pain to note that some of the leaders of the depressed classes are misleading their people by advising them to dissociate themselves from national activities. I humbly invite their attention to the fact that if the so-called untouchables are Pariahs within the Hindu community, all Indians by reason of their colour and nationality are the Pariahs of the British Empire, nay of the whole



white world. The removal of untouchability within the Hindu community will be the logical conclusion of the removal of the wider untouchability of Indians by attaining freedom. I earnestly appeal to the depressed classes and other minority communities like the Muslims, Sikhs, and the rest to co-operate with the Congress, which by universal consent is the only All-India political organisation that can be called national in the true sense. Independent India will attend to the interests and rights of the minorities far better than the British Government has ever done.

## All India Women's Conference

### Lady Sykes' opening Address

"We must try to educate the Indian public to drop the old prejudice against independent careers for women. They must come to see that there is nothing derogatory in an Indian girl taking up teaching and nursing", observed Lady Sykes opening the fourth annual session of the All-India Women's Conference which met at Bombay on the 20th. January 1930, Mrs Sarojini Naidu presiding.

Lady Sykes began with a reference to the impending political change and said : "India is on the eve of political and momentous significance. It is almost superfluous to dwell on the enormous importance of the question of women's education at this grave juncture. Political reform, unless accompanied step by step by social reform, is of little real service to the country's uplift. Indeed, I may go so far as to say, political advancement minus a corresponding social advancement, is a contradiction in terms. Let us take, for example, the subject of nation-building, whereon the future of India so largely depends. The defective physique of the rising generation has caused the educationist deep concern, but no real progress for remedying this is possible so long as there persists behind the purdah a body of conservative reactionary opinion which is responsible for the high rate of infant mortality, apathy in taking precautions against malaria and other preventible diseases, neglect of sanitation and social evils like child marriages.

"The East is waking up from its sleep of centuries. We see what education has done for the women of Turkey. Upon our shoulders lies a grave responsibility for seeing that India does not fail to rise to the occasion."

Lady Sykes pleaded for banishing prejudice against women taking up independent professions and urged that in village uplift lay a field of work of far-reaching importance. In the 7th century, when Europe was plunged in the darkness of the middle Ages, Emperor Harsha's sister took a prominent part in theological discussions.

Lady Sykes concluded : "In this India of ours, which gave birth to administrators and warriors among women like Ahalya Bai and the Rani of Jhansi and in our own days to rulers such as the Begum of Bhopal who takes such an active part in directing and leading our movement we have surely no reason to despair."

### Presidential Address

In the course of her presidential address Mrs. Sarojini Naidu emphatically declared that she was not a feminist and would never be one as the demand for granting preferential treatment to women was an admission of their inferiority. There was no need for such a thing in India, for the women of this country had always stood by the side of men in political counsels and fields of battle.

Adverting to the purpose of the Conference, Mrs. Naidu continued that the Conference existed not merely to pass resolutions for educational and social reforms, but for something more profound, more intimate and more enduring in human value. The charge had been made against womanhood that their genius had been one of isolation, exclusion and passive resignation in the hands of destiny, and that they were bound

by mere traditions and were unable to get beyond the fetters of dead convention and ideas. She thought the Conference was a triumph and vindication of her assertion that the genius of Indian womanhood included everything and was all comprehensive.

Indian culture was creative and was able to transmute even the hostility of their enemies into friendship. The Conference was a proof of the indivisible quality of fellowship of all women. All the circumstances of their national struggle must temporarily make them seem to be aggressively and almost exclusively nationalist in their attitude towards life, but she was first and last a human being and did not recognise divisions of humanity merely because of race and geographical barriers. Men made wars and created political and economic divisions for their selfish interests, and created combinations and groups of friendship and hostility. But all these were temporary shifts and the purpose of womanhood in the nation's and world's life was to do away with these temporary barriers. They were evangelists of peace working for the attainment of common rights of humanity, as against exploitation of nation by nation.

### Resolutions

A number of resolutions touching upon social conditions of women were adopted. The first resolution urged that the mother should have equal rights of guardianship over children with the father and also demanded for widows preferential rights of guardianship over them.

Lady Tata, moving the resolution, characterised the present law giving the father right to custody of children as most unnatural and unequal.

The second resolution recorded the opinion that there should be equality between the sexes in the matter of inheritance and control of property and, as steps towards the goal, extended support to Mr. Jayakar's bill on the gains of learning, to Mr. Jogiah's measure regarding women's rights of inheritance and to Mr. Sardar's bill to secure a share for the Hindu widow in the husband's family property, all of which were pending before the Legislatures.

### REMOVAL OF "UNTOUCHABILITY"

The third resolution adopted ran :—"The Conference supports all efforts being made to (a) remove untouchability (b) remove evils of intemperance, (c) suppress immoral traffic in women and children and further supports Mr. Jayakar's bill to remove the disabilities affecting "untouchables" and prevent dedication of Devadasis, the Madras Brothels Bill and all other bills on similar lines."

### SUPPORT TO CHILD MARRIAGE ACT

The Conference next adopted a resolution (1) expressing satisfaction at the passage of the Child Marriage Act, (b) urging that it should be amended so as to bring it into line with the recommendations of the All-India Women's conference and fixing the age of consent at 16 for girls and at 21 for boys ; (c) suggesting the formation of Sardar Committees in order to make the law effective and to bring to light breaches of the law ; (d) demanding immediate provision of adequate machinery for the registration of marriages and ensuring correct registration of births and, (e) condemning the agitation against the Sardar Act started by certain sections of Hindus and Mahomedans as also the proposed bills for securing exemption from the operations of the Act.

Muslim ladies accorded whole-hearted support to the resolution. Miss Feroze Din, a delegate, declared that marriage according to Islam was a contract and no contract could be valid unless the parties to it were above sixteen. The resolution was adopted unanimously.

Mrs. Shafi Tayabji then moved a resolution, which also was unanimously adopted, condemning the system of purdah and enforced seclusion of women. She appealed to Hindus and Muslims alike to adopt practical measures to secure its discontinuance.

The last resolution which was moved from the chair urged women to stand for elections to the legislatures, by capturing which they could prevent anti-women legislation from being passed.

# The Lahore Journalists' Conference

Important resolutions concerning the future of journalism and the welfare of journalists were passed by a Conference of those journalists who had come up to Lahore in connection with the Congress and allied conferences. The conference was held on the 2nd January 1930 and was attended by several local journalists.

Mr Zafar Ali, Editor of the "Zamindar," welcoming those present, hoped that out of this small gathering, would spring up well organised annual conferences, representative of the profession. In the case of journalists, numbers did not matter, for one journalist always spoke for thousands and millions.

## Presidential Address

Mr. Abdulla Brelvi, Editor of the "Bombay Chronicle" in the course of his presidential speech said:—

These are days of organisation. No group of individuals can expect to maintain and improve their status without continuous organised effort. There are few professions in the country which are in greater or more urgent need of organization than that of journalism and yet ours is the least organised profession. The disabilities under which the Indian journalists have to work are more numerous and greater than those of the members of any other profession. They have to work more and harder and in circumstances that put a heavy strain on their body and mind and their holidays are fewer. To add to this not only is the average salary they get meagre, but they have also no security of tenure. In India the circumstances which make the living of a journalist a precarious one are too disquietingly numerous and what makes his lot specially hard is the absence of any provision for pension or provident fund, not to speak of regulations which exist in many other countries, guaranteeing good wages for good work, insurance against sickness, accident, unemployment and old age with contribution from employers.

It is a curious irony that the teacher and the journalist who, more than members of any other profession, contribute to the education and enlightenment of mankind are rewarded on the most niggardly scale for the service they render. But the teacher has some compensation in regard to condition of work and leisure which the Indian journalist seldom secures.

I do not ignore the fact that the hardships of Indian journalists to which I have referred are greatly mitigated in some newspaper offices in this country but I have no doubt you will readily agree with me that the picture I have drawn of the condition of the average Indian journalist is not overdrawn.

In every country the Press is the guardian of the liberties of its people as well as the most effective instrument for extending the bonds of human freedom and progress and the extent to which a journalist helps to fulfil this two-fold purpose of the Press is the measure of his true success as a journalist. Judged by this test the Indian journalists have reason to be proud of their achievement. The Indian Press has played no mean part in the country's struggle for freedom and the sacrifices which Indian journalists have made and the risks which they even to-day run in making their contribution to that struggle have few parallels in other parts of the world. In the Indian journalist those who are interested and engaged in denying freedom to India have recognised the most formidable foe and special weapons have been devised to curb and repress his independent and courageous advocacy of the national cause. Though the Press Act of odious memory is no longer on the statute book, its sinister spirit still continues enshrined in the provisions of the Customs' Post Offices, Registration of Books, the Princes' Protection Act, in Sections 153 of the Indian Penal Code and above all in that "Prince among political sections" of that Code, Section 124-A, which has been constantly used against journalists from Mahatma Gandhi and the late Lokmanya Tilak to the humblest member of the profession, as if in cruel mockery of the "Freedom of the Press" we are supposed to enjoy. If in India the Press is to exercise its true function, it is essential that the shackles which fetter it now should be removed and it should occupy the same position as the Press occupies in say England or the United States of America. In the U.S.A. there are neither Federal nor State laws dealing specially with the Press which is dealt with when necessary, only under the Common Law concerning libel, slander the Common Law itself is not dissimilar to that prevailing in England. News-

apers in these two countries sometimes 'commit worse "offences" than those that re comprehensively dealt with in this country under Section 124-A but no one ever links of prosecuting them for the Government as well as the people of those countries realise that the best antidote against such abuse of freedom is free public opinion itself and that nothing could be a more dangerous menace to their own freedom than fettering the entire Press for fear that some newspapers may outstrip the limits of fair criticism. We must organise ourselves to be able to successfully resist all attempts made from any quarter to tamper with the liberty of the Press which is once a priceless achievement and a strong bulwark of civilisation.

#### THE ANGLO-INDIAN PRESS

The problem that Indian journalists have to face is complicated by the existence in our midst of the Anglo-Indian Press. The Anglo-Indian Press is in many respects a journalistic monstrosity. For decades it has been a menace to Indian Freedom, it has consistently opposed the Indian demand for freedom, slandered the most respected of Indian leaders and preached the arrogant gospel of white superiority and supremacy. And yet it has flourished on the income derived from Indian subscribers and advertisers and the Indian tax payers. In India the Government Departments, the Railways and all semi-Government concerns like Port Trusts, Municipalities and local bodies as well as business firms are the principal advertisers. These Departments and concerns get money from the tax-payers and it is part of his money which is utilised virtually, if not intentionally to subsidise the Anglo-Indian papers through advertisements to enable them to carry on Anti-Indian propaganda. Is there any country in the world where such an open scandal would be allowed to continue for a single day? Could we imagine a newspaper being allowed to exist, let alone prosper, in England, in Germany, in the U. S. A. or in any other Western country the object of whose existence was to show that the people of the country were unfit to govern themselves, that the men whom they respected and revered were charlatans and quacks if not knaves? In every country a newspaper is free to express whatever views it likes. But in no country is a newspaper permitted for a single day to carry on propaganda of slander against them with the mark of inferiority. That in India such an unpatriotic press is allowed to exist and that too, with the help of the tax-payer's money is the measure of the degradation to which we have been brought as a result of our political bondage. But, I must confess, to no small extent we ourselves are the instruments of our own humiliation in this matter. For, it is the money not merely of the tax-payer but also of the Indian subscriber and the Indian advertiser which supports this hostile anti-national force in the country. The ways of Indian newspaper readers and advertisers are strange! I have known of many of them who run to Indian newspapers whenever they have a grievance of their own to ventilate which no Anglo-Indian paper will ventilate but who will either not subscribe to any Indian newspaper or will vie with one another in giving their advertisements to the Anglo-Indian papers in preference to Indian papers.

The Anglo-Indian Press as it is conducted to-day is a national peril and concerted measures must be taken to meet it. The manifestations of what Mahatma Gandhi has described as "slave mentality" that we see everywhere in our midst is due, in no small measure, to the poison of belittling all Indian institutions, aspirations and claims which is being injected into thousands of minds from day to day by the Anglo-Indian Press. In this connection I wish it to be clearly understood that my remarks are intended only against the Anglo-Indian Press as an institution and that I have not only no desire to blame the journalists who are working for it, but have sympathy for them for the difficult position in which they are placed and I admire not a few of them for their merits as journalists.

I shall not repeat the cant about the profession being a noble one. For what really matters is not the profession one belongs to but the sincere efforts one makes to be worthy of it. As I said a few minutes ago Indian journalists have a record of service to the country of which one may well be proud.

#### COMMUNAL NEWSPAPERS

The communal newspaper is a negation of all that is best in journalism. It is not a journalist is essentially a propagandist. But the no less essential mark of a journalist is that he is always judicial and insists on fair-play to all. Is the communal newspaper that exists in our country distinguished by the existence of these qualities without which a newspaper is not worth the name?

Before I close, there is an unfortunate tendency to which I cannot help drawing attention. I refer to the disproportionately larger place which England and the Western countries occupy in the news columns of our papers than the great Asiatic countries. As in education so in journalism, thanks mainly to our subjection, we have neglected the rich heritage for which Asia offers and have failed to develop it for our common benefit. History is being made to-day and will continue to be made as days pass by more in Angora, in Teheran, in Kabul, in Nanking and in Tokyo, not to speak of Delhi, than in Paris and Berlin, London and Washington. Unfortunately, because the work of gathering and distributing the news of the world is mainly in European hands we, in India, as well as our conferences in other parts of Asia, know little about this history and what is more unfortunate, careless to know about it while all of us know much more about happenings in Europe and America. I fully realise the difficulties in our way, but I am quite sure if the more important newspapers in the country pooled their resources adequate and satisfactory arrangements could easily be made to acquaint Indian readers with the march of events in Asiatic countries in a more systematic and intelligent manner than is possible to-day."

#### Resolutions Passed

A resolution moved from the chair condoling the deaths of Mirzaben, Upson, Banki Dayal and De Souza was carried.

#### PROPOSAL FOR ALL-INDIA ORGANISATION

Mr. A. S. Iyengar (Delhi) moved and Mr. Punniiah (Karachi) seconded a resolution urging the convening of a conference of experienced journalists to discuss the question of forming an All-India Journalists' Organisation to frame rules for the general guidance of the profession with a view to promoting fellow feeling among and the well-being of its members and to protect and advance the cause of journalism. The President was authorised to circularise journalist organisations and journalists all over India inviting views and suggestions for consideration by the proposed conference, to be held not later than the 10th April at a convenient place. The resolution was carried.

#### CENSUS OF JOURNALISTS

Two resolutions of Mr. Durga Das (Delhi), seconded by Mr. Piara Mohan Dattatriya (Lahore) Mr. A. S. Iyengar, were passed. The first requested the President Mr. Brelvi, to have a census in daily or weekly journals and news agencies, with a record of the status, pay and prospects of the various grades of workers, to enable the proposed Journalists' Conference to decide on the best course of promoting the cause of journalism.

#### ASSEMBLY PRESS GALLERY

The second resolution welcomed the constitution by the President of the Legislative Assembly of a Press Advisory Committee for the Assembly Press Gallery and hoped that the Presidents of Provincial Legislative Council would act likewise.

The Conference also hoped that the Assembly Press Gallery Advisory Committee would be enlarged so as to ensure adequate representation of working journalists as distinct from journalist M. L. A. s.

#### CASE AGAINST "RIYASAT" EDITOR

Mr. Karamchand (Lahore) moved and Mr. A. S. Iyengar seconded the resolutions urging that the trial of the Editor of "Riyasat" under the Princes' Protection Act be held in Delhi and not at Hoshangabad where the trial would hamper defence and prevent an appeal to a higher court in British India. The resolution also urged the journalist members of the Central Legislature to secure the repeal of the Princes' Protection Act or at least an amendment of the Act providing for trial at a place where the paper is published.

#### GOVERNMENT'S REPRESSIVE POLICY CONDEMNED

Mr. Abdur Rahim (Calcutta) moved, and Mr. D. Rajah (Madras) and Mr. Khushal Chand Khurshand (Lahore) supported a resolution, which was carried, condemning the repressive policy against journalists and congratulating the latter on their maintaining the reputation of the profession for integrity, courage and independence.

On the motion of Mr. Abdur Rahim the Conference condemned the policy adopted in certain Indian States in putting obstacles in the way of free and independent journalism.

## ADMISSION OF PRESS TO LEGISLATURES

Mr. Abdul Rahim moved, and Mr. Kalinath Roy, Editor of "The Tribune" supported a resolution, which was carried, declaring that it is the right of a newspaper representative to be admitted without undue restriction to public sittings of a legislature or law court, and especially taking strong exception to the manner in which passes are issued to Press representatives for the Punjab Council and to the improper personal searches to which they are being subjected in the court of the special magistrate trying the Lahore Conspiracy case.

## JURY TRIAL FOR SEDITION CASES

On the motion of Mr. Peary Mohan Dattatriya, seconded by Mr. A. S. Sharma (Lahore), the Conference adopted a resolution urging jury trial for press sedition cases under Sec. 124 A. I. P. O.

## HOURS OF WORK

Mr. Sharma proposed a resolution regarding the hours of work being limited to six hours daily, etc., and it was referred to the proposed conference in April.

The Conference also passed Mr. Purushottamdas Tandon's resolution, that newspapers and magazines should not admit advertisements against the interests of the country or those detrimental to the public morals.

## The All India Journalists' Conference

The All-India Journalists' and press-Owners' Conference met in the Cowasji Jahangir Hall, Bombay, on the 15th May 1930 with Mr. A. Rangaswami Iyengar, Editor, "The Hindu" in the chair. Prominent among those present were Mr. S. A. Brelvi, Editor, "Bombay Chronicle", Mr. Ramanand Chatterjee, Col. G. H. Gidney, Mr. Ashmead Bartlett, Mr. J. L. Sahani, Editor, "The Hindustan Times", Mr. K. P. Khadilkar, Editor, "Navakal", Mr. N. H. Belgaumwalla and Mrs. Kamaladevi Chattopadhyaya.

## WELCOME ADDRESS

Mr. K. Natarajan, Chairman of the Reception Committee, welcoming the delegates said that the Viceroy's promulgation of the Press Ordinance had brought them together and made them realise the importance of the Indian Press having an organisation which could speak for itself, represent its views and protect its interests whenever they were threatened or injured and he hoped that before they parted steps might be taken to initiate such an organisation on a permanent footing. Proceeding, the speaker stated that the Viceroy said that the repeal of the Press Act had a baneful effect on the Press, but as a long-experienced Indian journalist he emphatically repudiated such an allegation. The Indian Press, since the inauguration of the Montagu-Chelmsford Reforms, had been interesting itself largely in social problems such as the removal of untouchability, Hindu-Muslim unity, child marriage, suppression of prostitution, prohibition etc. Politics had ceased to possess an unhealthy predominance in public discussions. The vigilance with which the conduct of officials and details of administration used to be followed by the Indian press had relaxed on account of the growth of a feeling that the attainment of self-government was the only permanent remedy for them. The Simon Commission therefore had the largest share of press criticism and the British Government and the Viceroy had recognised the justice of the criticisms by proposing the Round Table Conference which virtually superseded the Commission and made its report only materials for discussion along with other materials before the conference. In the Bardoli affair, likewise, the Government with great reluctance admitted the correctness of press criticism and revoked its decision. The fact was that the Indian Press worked in close touch with national organisations and workers, and hence had increased in power and a sense of the responsibility, which they owed primarily to the people of India and not to the Government.

Continuing, Mr. Natarajan said that the greatest objection to the Press Ordinance was that it prevented the Press from doing its duty to the people except as far as it was permitted by the Executive Government for the time being. The lawyer and the doctor had their rights defined, but the journalist who was often a man of no inferior education and had generally a wider outlook was forced under the Ordinance to think not of what he should write to publish in public interests but of what impression his writings might produce on persons looking at everything between bureaucratic blinkers. This he regarded as an unwarranted interference with journalists' professional rights. If the Government treated the Indian press as its natural enemy, the Government would have to thank itself if the Indian Press reciprocated the sentiment.

The Ordinance as framed contained proof of the complete misconception of the Indian Press in that it sought to penalise not only writings favouring revolution and violence but also civil disobedience which Mr Gokhale held was an extreme constitutional method. He concluded by saying that civil disobedience was only a small part of this whole problem which was much bigger, and he felt that if civil disobedience were dropped to-morrow the movement would lose nothing of its immense potentialities and actualities as a comprehensive and natural solvent of nearly all the country's social problems, such as, the removal of untouchability, Hindu-Muslim unity, elimination of abuses of caste and amelioration of the crushing poverty of the masses. These and more were integral parts of Mr Gandhi's programme of which the Viceroy saw the smallest part respecting civil disobedience. Indian journalists on the other hand had viewed the movement as a whole as a great blessing and one that was bound to command the respect, admiration and adhesion of all to whom the Indian problem was predominantly social and religious and only superficially political. Every Indian journalist therefore had to write appreciatively of the Gandhi movement and if the Ordinance applied to such writings all Indian papers would have to close down. The only way this contingency could be avoided was for the Government to appreciate the solid social achievements of Gandhi's movement, release Gandhi and Satyagrahis, and initiate action in respect of the eleven points of Gandhi for the amelioration of the economic pressure of the present system on the masses. The solution of these difficulties was not to be found in repressive laws but in a conciliatory policy and if and when Lord Irwin's Government turned their attention in this direction they would find the Indian Press solidly behind them.

Mr. Brelvi, Secretary, then read messages of sympathy from Mrs. Naidu, Messrs. N. C. Kelkar, C. Y. Chintamani, and J. C. Gupta, Editor, "Advance" among others. Mr. A. Rangaswami Iyengar, Editor of the "Hindu" then delivered his presidential address. The following is the text:—

#### The Presidential Address

Mr. Chairman, Fellow-Gentlemen of the Press, and Friends:—I am deeply grateful to you for inviting me to preside over this important and urgent conference. While I greatly appreciate and value the honour, I am even more sensible of the heavy responsibility which you have imposed on me. Only by your wholehearted co-operation and determination to face in a practical and honourable manner the grave and urgent problems before us to-day can I hope to discharge the duties that you have called upon me to undertake.

The occasion which has brought us together is neither a ceremonial nor a festive one; it is an urgent situation in which the Press and the printing trade in this country are faced with a crisis graver than any they have had to surmount during a century of their existence. I shall not take up your time with any lengthy disquisition or elaborate argumentation on minor issues. I shall proceed as briefly as I can to draw your attention to the main question that has arisen for our solution at the present juncture.

#### PURPOSE OF THE CONFERENCE

This conference of representatives of newspapers and printing presses has been convened for the purpose of concerting measures to meet the situation that has arisen from the promulgation of the Press Ordinance that threatens their honourable existence and progress. It is my desire therefore that in dealing with this question we should not be side-tracked into a discussion of other no doubt equally important issues which do not, however, have a direct bearing on this question.

## THE GOVERNMENT AND PRESS CONTROL

Bureaucracies like the Bourbons neither learn nor unlearn. The same mentality that prompted the enactment of the Vernacular Press Act more than fifty years ago subsists with the same vigour to-day in Simla and in White Hall unaffected by all the talks about Parliamentary institutions and Dominion Status. The same oversensitiveness of the bureaucracy to criticism which Sir William Muir, Sir Eiskine Perry and Col. Yule of the India Council in 1878 described as being responsible for that Act, the same clamour of the European community in India, the same differentiation between European and Indian section of the Press that dominated the mind of the Government fifty years ago dominate it to-day, unimpaired. And unless we journalists make up our mind to organise and effectively resist this perpetual tendency of bureaucracies to muzzle the Press the future of civil liberties, nay of popular freedom in India would be black indeed.

Lord Lytton's Press Act was repealed after four years by a Viceroy whose name continues to be cherished in this country as of one who sought to promote the freedom and welfare of the people of this country and faced the wrath of the bureaucracy as no other Viceroy has dared to do since. For 20 years the Government felt safe with Sec. 124-A of the Penal Code, but the Bangabasi case unsettled them and the Sedition Law was re-enacted in 1897 in the dangerous form in which it continues to stand to-day. The next wave of repression that started in 1906-7 took us to the enactment of the Indian Press Act of 1910 under the aegis of Lord Morley himself who more than any other had stood for liberties of the Press in his own country and in Ireland. The sponsor of that Act, Sir Herbert Basley, honestly confessed that there were no parallels to follow in British legislation in this matter and that he had to go to Austria to copy its provisions from a Hapsburgian model. The present Press Ordinance extends and enlarges this code of pre-war Austria to a degree that puts into the shade even the control of the Press in England and in India during the War years and that has a parallel perhaps only in the doings of the Dublin Castle during the Black and Tan regime.

The fundamental cause of the persistence of this Anti-Press fever in the governmental system of this country was once analysed by Lord Morley with his usual insight when he sought to bring up repression and reform side by side in the administration of this country. 'Is the existence of a free Press compatible with the existence of an autocratic Government'—was a question on which after citing Mill and Macaulay he came to the conclusion that it is and the freedom of the Press ought to be a reality even in this country. Yet he was powerless to resist the introduction of the Press Act in 1919 in India. For, so long as the authority of the State is vested in the uncontrolled keeping of an alien bureaucracy notwithstanding all the forms and pretences of Parliamentary institutions, the tendency to control the free expression of public opinion on the system, methods and acts of that Government, is bound to assert itself from time to time in all shapes and forms. And if to-day this control and suppression of news and thought in the country is sought to be carried out by measures more far-reaching than any known to the history of this law in India it is because of the desire to protect the existing system against the rapid and overwhelming growth of public opinion in the country that the system should yield its place to one based upon full Swaraj for India.

History is full of the lessons of such efforts and I need not say that whatever the Government may do or may not do at the present juncture, time, in the words of Gladstone on a historic occasion, is on our side. Time is in favour of those great forces of progress and freedom that to-day are surging everywhere to obtain mastery over the forces of authority and power, of repression and reaction.

Our immediate task, however, is to find out how to meet the situation, so far as we are concerned, that has been brought about by the enactment of the Press Ordinance. You will allow me therefore to briefly examine its professed scope and aims and its actual operation on and consequences to newspapers and publications in India. The former, we may take it, have been set out by His Excellency Lord Irwin in the explanatory statement which he has appended to the Ordinance, while the latter have to be deduced from the provisions of the sections of the Ordinance itself, the manner in which they have already been worked and the results thereof.

His Excellency claims that the measure is not designed to "restrict the just liberties of the Press or to check the fair criticism of the administration." He informs us that the measure "is one of emergency." The plea of emergency is one that has necessarily to be made for the purpose of enabling the Viceroy to use his powers



of Ordinance-making. It is perhaps of the same category as that which Lord Lytton urged in his telegram to the Secretary of State in 1878 when he said, "We have accordingly prepared a Bill and I propose to pass it at a single sitting on the plea of urgency which is not fictitious, afterwards reporting to you our proceedings in detail. If the measure becomes an accomplished fact declared by us as urgently necessary in the interests of public safety, it will probably be accepted with far less objection than if it had formed the subject of previous discussion." If this is not so and if the emergency is really of a sudden and temporary character, then the observations of His Excellency in paragraphs 2 and 3 are wholly un-called for. On the other hand those observations make it perfectly clear that beneath the plea of emergency there is the settled belief and desire that the Indian Press should be controlled by the Executive Government and the bureaucracy in this country, that the repeal of the Indian Press Act in 1922 was a mistake, that the anticipations formed in 1922 have not been fulfilled, that the "malignant" features of the Indian Press which the Act of 1910 was intended to check continue and that the ordinary law of the country is ineffective to secure that control which the Government desire, however much it may be effective for the punishment of seditious and revolutionary writings. As I said, it is the same mentality that persists through more than two generations of bureaucratic Government in India.

#### NEED FOR ETERNAL VIGILANCE

We are, therefore, warranted in assuming that whatever may happen to the Press Ordinance as such,—it can be in force for six months only, but under the existing constitution it can be easily enacted as a legislative measure either with or without the concurrence of the Legislature by the Viceroy later—the mentality that requires the muzzling, if not the suppression, of the Indian Press is there in the counsels of the Government of India. Unless Pressmen, and printers and publishers, nay, all those who value knowledge and thought, the free expression of literary and artistic ideas and feelings, will organise themselves to resist and demolish this persistent mentality that believes in its power to control the springs and guide the channels of knowledge and of light—unless all of us unite together for the purpose not only of meeting the immediate danger before us but of preventing the recurrence of these shock tactics on the part of the bureaucracy, we shall have to face a future, darker and more dismal than the present. Authority resents criticisms. Power always feels nervous about it. And even with the advent of Swaraj, the tendency of authority and power to control criticism and subject the expression of free opinions to the dictates of political or national policy may not have been entirely eliminated, because it is inherent in the very nature of those clothed with authority and power. Eternal vigilance is therefore not only the price of liberty, it is the only guarantee for the liberty of the Press.

#### WHAT ARE THE "JUST LIBERTIES" OF INDIAN PRESS ?

If then, this hollow plea of emergency ought not to mislead us as to the real nature of the danger to the liberty of the Indian Press neither should the plea that the Press Ordinance is not designed to restrict the just liberties of the Press or to check the fair criticism of the administration deceive us or the public as to the actual fetters imposed upon us. It is difficult for me, as it must be for any one conversant with the rights and responsibilities of the Press and of public criticism in India, to take this assertion seriously. What are the "just liberties of the Press?" The liberty of the Press," says Lord Mansfield, "consists in printing without any previous licence subject to the consequences of law." The law of England, says another great judge, Lord Ellenborough, "is a law of liberty and consistently with this liberty we have not what is called an imprimatur. There is no such preliminary licence necessary, but if a man publishes a paper he is exposed to the penal consequences as he is in every other act if it be illegal." Lord Irwin's Press Ordinance is an entire contradiction of these doctrines. In the first place, the Press Ordinance imposes a preliminary licence for every newspaper and a security for its right conduct. In the next place the Press Ordinance subjects him not merely to "the penal consequences of the law" or to the normal course of the civil law for the publication of seditious or defamatory libel, as the case may be; but it subjects him to the abnormal consequences of executive action involving the spoliation of his money and property, subject to a right of appeal, which, however, the courts of the land have repeatedly declared to be absolutely illusory. This executive deprivation of his liberty of opinion and expression, of his security, his property and his publica-

tions can be effected not merely for what may constitute an offence or actionable wrong in law, but for a comprehensive category of comments or publications "having a tendency directly or indirectly whether by inference, suggestion, allusion, metaphor, implication or otherwise"—you all know the words—of a character which on political grounds the Government deems objectionable. As Mr. Patel has so repeatedly pointed out, there are many things which if they are spoken out to thousands of people in public would not be offences or actionable wrongs, but the moment they find publication even as reports of such speeches made at meetings in newspapers or publications, they come within the category which involves the suppression of the papers.

Checks and preventive measures such as the demand of deposits from presses and newspapers and the imposition of other limitations on the right of publishing periodicals are, as Professor Dicey points out in his expressive phraseology, "inconsistent with the pervading principle of English law that men are to be interfered with or punished because they may or will break the law but only when they have committed some definite assignable legal offence. In England, no such thing is known as a licence to print or a censorship either of the Press of political newspapers." The Press Ordinance negates every one of these declared principles that define the liberties of the Press and we are asked by the Viceroy to accept the statement that it puts no restraint on the just liberties of the Press. Can mockery go further?

We have been also told that fair criticisms of the administration will not be affected. Mark the adjectives 'just' and 'fair' in these asseverations. What are 'just' liberties and what is 'fair' criticism? Who is to be the judge of the justness or the fairness in each case? So far as the Ordinance is concerned, it is the person who complains that is constituted the judge and courts have complained that they cannot go behind the complaining authority's judgment. In practice this turns out to be the judgment of the Intelligence Department or the personal prejudices of Provincial and local authorities as the case may be. The Indian Press knows to its cost what it is to offend the powers that be by criticisms, however fair, when they cease to be *persona grata* with the authority concerned.

#### SAPRU COMMITTEE'S JUDGMENT ON PRESS ACT

The history of the Press Act of 1910 and the hardships, injustices and immense suffering it inflicted on the country were the subject of representations to the Viceroy in 1917 and to the British public in 1919 through the Press Deputation of which I had the honour to be a member. I do not desire to weary you with a recital of the case for the repeal of that Act which was cogently made out in the memorandum of the Press Association of India of which, I am sure my friend, Mr. Mody will be able to give us copies even now. What is more important is that the repeal of the Act was actually effected by the Government of India at a time of nearly as great political and public excitement as the present when the Government was equally intent on a policy of severe repression as now. The Sapru Committee on whose recommendation the repeal was undertaken and carried out put the case for its repeal on principle in the following terms from the point of view of the Indian public:—

"Most of the witnesses examined before us, believe it to be indefensible in principle and unjust in its application. It has been said that the terms of Section 4 of the Act are so comprehensive that legitimate criticism of Government might well be brought within its scope, that the Act is very uncertain in its operation, that it has been applied with varying degrees of rigour at different times and by different local Governments and in particular that it has not been applied with equal severity to English-owned and Indian-owned papers. A general feeling was also apparent among the witnesses that the Act is irritating and humiliating to Indian journalism and that the resentment caused by the measure is the more bitter because of the great services rendered to Government by the Press in the war. Many witnesses indeed are of opinion that the Act is fatal to the growth of a healthy spirit of responsibility in the Press and that it deters persons of ability and independent character from joining the profession of journalism. Finally, it is maintained that the Act places in the hands of the Executive Government arbitrary powers not subject to adequate control by any independent tribunal, which may be used to suppress legitimate criticism of Government and that such a law is entirely inconsistent with the spirit of the reforms scheme and the gradual evolution of responsible Government."

"There is in our judgment great force in many of these criticisms."

It has been said by the Viceroy in his statement that the course of events since the repeal of the Act has not justified the anticipations formed in 1922. With all respect, I desire to say that this is wholly after-thought on the part of the Government. Mr. Natarajan in the "Indian Social Reformer" has dealt with this aspect of the matter with his usual clarity and vigour and I need only say that not only has the improvement in the tone of the Press received successive appreciations in the Government's annual reviews presented to Parliament but that both the Secretary of State and the Viceroy, since announcing their new policy in November last, have publicly declared their intention of going further in the direction of freeing the Press from the rigours of the present Sedition Law of the country in regard to the expression of opinions. The matter arose out of Mr. Fenner Brockway's motion in the House of Commons in December last and the Viceroy has repeatedly declared that he has instructed Local Governments to take action in respect of speeches or writings only in cases of actual incitement to violence or disorder. But there is no doubt that in practice many Local Governments have taken action inconsistent with these assurances.

### THE ORDINANCE

But surely, it is not for Lord Irwin to say so soon after these assurances that the re-enactment of the Press Act has become necessary because he has found that the repeal of the old Press Act was a mistake.

Let us now glance briefly at the ramification of the new Press Ordinance. The mischief that it was intended to correct is described by the well-known Section 4 describing the nature of the publications that would render presses and papers liable to the pains and penalties of the Ordinance. It makes absolutely no distinction between the publication of news and the publication of views or criticisms. So long as there are "words, signs or visible representations which are likely or may have a tendency directly or indirectly whether by inference, suggestion, allusion, metaphor, implication or otherwise"—you all know the words—the fact that the newspaper published news that is substantially accurate and true or criticisms that are substantially sound, furnishes of itself no ground of exemption to the press or paper concerned. The Government of India in reply to the Indian Merchants' Chamber have assured the public that the Act is not intended to restrict the publication of news or the dissemination of news. Is that so, the intention has certainly not been carried out either because of the legal difficulty of defining the exemption intended to be given or because of the desire to keep the newspapers concerned at the mercy of those whose intentions may subsequently vary.

### CATEGORIES OF "OBJECTIONABLE" MATTER

The categories of objectionable matter are eight and it has to be pointed out that in every one of these categories the executive government have made a most wanton and unjustifiable inroad into the rights and liberties of the Press. Clauses (a) to (d) deal with objectionable publications to punish which there are provisions enough and to spare in the existing penal laws of the country, in the Criminal Codes, the Police and Military Acts and Regulations. Clauses (e) to (h), however, introduce new categories of Press offences which throw a flood of light on the bonafides of this legislation. They make it penal for the Press what is not penal for other citizens of the land. Clause (e) relates to the "encouragement" of civil disobedience and non-payment of taxes, Clause (f) to the inducement of public servants to resign their duties. Clauses (g) and (h) relate to the promotion of class hatred which again is punishable under the Penal Code, and the prejudicing of the recruiting of persons to serve in any of His Majesty's forces, or in any police force, or to prejudice the training, discipline or administration of any such force—matters which, we believe, are dealt with already by the law dealing with the constitution and discipline of these forces.

Dealing with civil disobedience, the clause recites that it is objectionable matter to publish anything encouraging or inciting any person "to interfere with the administration of the law or with the maintenance of law and order or to commit any offence." Whether a man who deliberately disobeys a law and invites the punishment provided by law therefor and submits to it or who asks others to do so should be considered to interfere with the administration of the law or not is a highly debatable matter. The more serious part of it comes in where the encouragement or incitement to commit an 'offence' is made objectionable.

These "offences" have already been construed to include not merely crimes and misdemeanours but breaches of legal provisions involving penalties intended for the protection of the revenue. In regard to public servants it is clear that even an advice to a single public servant to resign his office on a most legitimate occasion, such as, for instance when he is incapable of executing the duties of his office, will make section 4 applicable. The section makes no distinction between wholesale and individual resignations upon public or personal grounds, nor does it make any distinction between asking a public servant to do or not to do any act in accordance with his legitimate duty and asking him to or forbear to act illegally and improperly. Frankly speaking, it is impossible for any paper or press seriously to attempt to escape the provisions of this Act once the Government, with the Intelligence Department and the secret services that move it from behind, make up their mind to take action against it and no power on earth can prevent the ruin of the press and the newspaper once the Government desire to bring it about. It was of the original Section 4 of the old Press Act that Sir Lawrence Jenkins wrote as follows:

"The provisions of Section 4 are very comprehensive and its language is as wide as human ingenuity could make it. Indeed it appears to me to embrace the whole range of varying degrees of assurance from very certainty on the one side to the very limits of impossibility on the other. It is difficult to see what lengths the operation of this section might not be plausibly extended by an ingenious mind. They would certainly extend to writings that may even command approval. An attack on that degraded section of the public which lives on the misery and shame of others would come within this wide-spread net, the praise of a class might not be free from risks. Much that is regarded as standard literature might undoubtedly be caught."

What would he have said of the present section had he been with us to-day? I leave you all to imagine it.

#### THE TACTICS OF THE EXECUTIVE

That the authorities who have to administer the new Ordinance have no intention whatever of being deterred from doing what they please with the Press even where the language of the law is clear, was made evident by what the Chief Commissioner of Delhi and the Government of Bengal have already done in regard to newspapers and presses in Delhi and Calcutta. I have attempted to explain in a communication to the press that the demand for securities from all the presses in Delhi and from the principal nationalist newspapers in Calcutta was made by an action which was wholly beyond the competence of the authorities even under the Press Ordinance. It is obvious that where the executive is prepared to violate the clear provisions of the law in the manner they have already begun to do, there can be no guarantee whatever that they will be prepared or inclined to carry out the supposed intentions of the Government in promulgating the Ordinance or the vague assurances now conveyed in their latest communique.

#### OUR DUTY

What then should the Press do in the face of this Ordinance? That is the question that has brought us together to-day and in dealing with it you will permit me to state plainly what I honestly feel to be practical and proper methods of action in the circumstances. Drastic proposals have been made and advice has been given to us from different points of view which, I am sure, will all come up for consideration in the course of our discussions. It is true that the Press Ordinance is a part and a very important part of the policy of repression that is being carried out in the country in consequence of the civil disobedience movement. And it is natural therefore that in adopting steps by which this repressive move should be met, the principles of civil disobedience should be proposed to be applied in some quarters to deal with this offensive of the Government. But it has also to be recollected that while both civil disobedience and repression that is employed to put it down, are a phase of the national struggle that must necessarily end in a short time, the control of the Press imposed by the Ordinance, even though described as an emergency measure, may not end so soon and may be intended with or without alterations to be a more or less normal feature of the Government's policy in India. It has again to be recollected that the Press Ordinance equally affected both newspapers and presses definitely pledged to or supporting the civil disobedience campaign as well as newspapers and presses that may not be directly identified with the campaign—that may sympathise with it or be indifferent or opposed to it. It affects equally the newspaper presses of the country and the printing presses also doing the work of printing and publishing books and literature of all kinds, and all

the several allied industries and trades connected therewith. I have not been able to obtain accurate statistics but the total number of printing presses in this country probably amounts to several thousands and the total value of paper and printing material imported into this country every year amounts to several crores, while the Indians dependent on this business and occupation number several lakhs. All this trade and industry will now be placed at the mercy of the executive authority which can by a rigorous suppression of publications and presses considerably diminish and injure their business earnings and properties. The demand for securities will not be confined, as indeed has been proved already, to newspapers but will extend to all printing presses that the Government think it safe to put under control.

#### DEFIANCE OF THE ORDINANCE

In these circumstances it has occurred to me that whatever plan those who believe in civil disobedience or who deem it their duty to adopt a policy of civil resistance think it necessary to adopt when the law is sought to be applied to them, the bulk of the presses and newspapers as a class may not be able to view the situation from the same angle of vision. I am aware that Mahatma Gandhi has asked the "Navajivan" Press to refuse to give security when demanded and to defy the Press Ordinance by continuing to publish the paper thereby inviting the forfeiture of the press under the new act. That is obviously a clear case of definite defiance or civil disobedience of the new law. On the other hand, action has already been taken by our brethren in Delhi and Calcutta which, while expressing the just resentment of the Press against the unjust, arbitrary and illegal action of the authorities concern in demanding securities from them, asserted their self-respect in a manner that has compelled the Government of India to come out with an explanation of their intentions in regard to the operation of the Press Ordinance. The patriotism and public spirit that has animated this action is beyond praise but it is for the conference to decide whether this suspension on their part should continue indefinitely or whether it should cease in favour of a more general and united, if less intensive, form of action against the operation of the Ordinance. Especially has this to be considered as the Government of India has since sought to explain, in consequence of this move on their part, that the Ordinance is not directed against the publication or dissemination of news or fair criticisms of the administration or the just liberties of the press, but that it is directed against writings inciting to violence of revolutionary crime or the open subversion of law and order.

#### QUESTION OF CESSATION

Mahatma Gandhi approved and commended the step of suspension, which is different from what he has directed his press to do. I am not able to find out why he made this distinction or what the exact purpose, he thought, would be served by the cessation of the publication of the newspapers the moment security is demanded. If the object is to induce a general strike of all newspapers and thereby to force the hands of the Government, then it is clear that as the Government is not asking security from every newspaper the result desired will not be produced. If, on the other hand, the intention is, as I believe it is, that Nationalist newspapers should not submit to the censorship and control which submission to the penalties of the Act and the willingness to conduct the paper in accordance with the desires of the Government involve, then I think the principle of it is one which all of us are bound to accept, though I am unable to agree that the particular line of policy indicated can bring this about. I believe Mahatmaji had not the opportunity to know the full text of the new Ordinance and examine its full implications. I agree that it is impossible for any newspaper to accept the implications of the Ordinance and agree to conduct it in accordance with the notions of the Government expressed therein. I consider it our duty to fight the danger that this Ordinance threatens the Press in every way by carrying on our work undeterred by its terrors up to the stage at which it is made impossible for us to do so with self-respect. I do not think we should play into the hands of Government by ceasing publication the moment the Government start to attack us. If newspapers should cease publication immediately on the demand for security and if other Nationalist newspapers who are in sympathy with it should also cease publication at the first touch, it would be an act of surrender which would enable the Government to claim not only that the charges of objectionable writing of the newspapers concerned have been justified, but also that the steps taken by them to prevent them have proved effective. The question whether

the cessation and non-performance of the national duty of publishing and propagating news and of moulding public opinion—under whatever difficulties and all over the country and the world—should remain undischarged for an indefinite period to the great detriment of national interests admits of but one answer.

#### A DIFFERENT PLAN

It seems to me that our duty is to fight the Ordinance and resent its application to us by a different plan in which each newspaper can do its duty in this behalf. In the case of all existing newspapers and presses, the demand for security when made is made on grounds which are not disclosed—which really depend more or less upon the policy or whim of the authorities concerned than upon any specific complaints of objectionable publication. Neither the newspaper nor the press is in a position to know what exactly are the conditions under which they will be permitted to continue the publications of the newspapers concerned. I would suggest therefore that at that stage those who can afford it should pay the security and challenge a forfeiture by continuing to carry on the paper or business according to the same standard of right and wrong and according to the same policy which they had adopted previously. If that policy and those standards of right and wrong are deemed objectionable, the Government would then have to take the next step, to forfeit the security, but in such a case they would be bound to state the nature of the objectionable publication, and specify the passage or passages in the publication concerned that are so in their opinion. It would then be for the newspaper or press in question to challenge the view of the Government and put it before the public as well as the High Court for adjudication. It is, of course, well-known that the courts will be practically powerless to afford any remedy, but the Press would have had the opportunity of showing to the public the nature of the inquisition it has been subjected to and would be in a clear position to decide for itself whether it is or is not going to subject itself or the paper to such inquisition by accepting the conditions involved and paying additional security as also risk of forfeiture of press and security alike. I have no doubt what the answer of everyone of us will be at that stage. The step of ceasing publication, therefore, seems to me to be more properly undertaken on the forfeiture of the first security rather than on the first demand of security. I would urge this course on the further important ground that the interval between the payment of security and its forfeiture will give the papers and presses in India time to intensify their agitation in the country and also enable the Indian Press to be better prepared, if the occasion arises and it becomes practicable, to put into operation an effective plan of common suspension.

There is also, it seems to me, another distinct advantage in such a course. It would put to the test the latest professions and assurances of the Government, if the papers which by their patriotic action had brought about the announcement, resume and continue publication of their papers and await the occasion when the Government will order a forfeiture. Then these papers and the rest of us, including the public, will be in a position to challenge the decision of the Government and with equal self-respect refuse to submit to the humiliating conditions which the Government declaration of forfeiture would impose on the conduct of the papers thereafter. This course of action will also enable us to put the Anglo-Indian Press—whose attitude in a matter that affects the liberties of the Press has been extraordinary and who have attempted to show that the Press Ordinance impose no unreasonable restrictions on the Indian Press—in their proper perspective in the eyes of the public.

I am making these suggestions in a tentative way, from what I deem to be a practical stand-point, and in all humility, and I trust that it would receive full consideration at your hands.

#### RIGHT OF FREE CRITICISM ESSENTIAL.

In the great uphill fight which the Indian Press has to carry on at this juncture it seems to me that it is more than ever necessary that we of the Press should have a clear perception of our duties and functions and strive not only to continue our existence as the Fourth Estate of the realm, but to maintain the highest traditions of fairness, independence and integrity in the discharge of some of the most responsible duties that we owe to our country, and to society. We should not allow ourselves to be overpowered or dominated either by official or by unofficial pleasure. Except in the case of newspapers which are avowed propagandists of particular causes or party

organisations, the duty of newspapers, especially at this juncture in India, is not merely to resist the encroachments of official authority on their liberties, but also not to surrender their freedom of judgment and their right of fair and just criticism, in the interests of the public, of all public causes, measures and actions, including even those which is its editorial policy to support. If this essential right and duty of the Press is not maintained intact, one of the most essential of the rights of civil liberty of the people, freedom of speech and of opinion and expression, will exist only in name. I am far from claiming that the Press in India has attained to the ideal conditions of existence that would enable every member of it to discharge its duties in this respect without fear or favour. But the Indian Press, despite the calumny of successive bureaucracies in power can lay just claim to a record of honourable and patriotic public service, in the midst of repeated attempts to fetter its liberties. At the same time, I hope I shall not be misunderstood if I say that whatever political duties and political discipline may be imposed on political leaders or workers, newspapers as such cannot, without serious risk to their liberty and their usefulness as independent organs of public opinion, accept either the directions or the discipline of party organisations or political programmes, whatever individual journalists as individuals may decide for themselves. The discipline and self-restraint, the responsibility and the sense of duty that have to be imposed on the Press and pressmen are onerous in themselves, but are different in their nature and method from those imposed on politicians and partymen. They may be controlled, where this is feasible, by organisations that are designed to maintain the liberties of the Press and its standards and traditions of public work. As a national institution in the country, the Indian Press may not yet be well-organised, but it fulfils a distinct function in the corporate life of the people and performs an indispensable duty in the service of the country.

#### WANTED AN EFFECTIVE FIGHTING ORGANISATION

What is really required, and it is a sore need, is an effective fighting organisation if not of the entire Indian Press for the maintenance of its "just liberties" and it behoves us to regard it as one of the first duties of all of us on this occasion to seek to put such an effective organisation into working order. We have to call to our aid every honest and fairless journalist who believes that the maintenance of the liberties of the Press is vital to our existence as a nation and that the latest assault upon those liberties made by the Government should be repelled by all the force and strength at our command. The methods of agitation and effort to secure our ends need be circumscribed by no formulae so long as they are honourable and are consistent with the self-respect of honest journalists and printers. If there are any among us who believe that by making our representations before the Viceroy and the Government by means of a deputation or otherwise we shall be able to help the cause, I for one am not prepared to rule out such a procedure in so far as the Press is concerned. If there is again a general feeling that pressure for the repeal of the Ordinance can only be brought by means of an agitation carried on in England or in Europe through a deputation on behalf of the Indian Press, I for one, will, provided it is feasible, not be against it. It may be that until the temper and atmosphere in which the Government are carrying on changes and a new policy is set on foot, the chances for the total repeal of the Ordinance are not bright. But whatever might happen to the major political issue, the issue of the liberty of the Press has got to be fought out primarily by the Press and from its standpoint and conception of public interest and public duty; and I have no doubt that a persistent, vigilant and active organisation on behalf of the Press should carry on the plan of campaign that we may decide upon here continuously and unflinchingly until this Act is repealed. If we do this I have no doubt that not only will the repeal of the Ordinance at an early date become a certainty but also the conditions of the existence of the Indian Press even under this Ordinance can be made less intolerable than they are now.

Believers as we all are in the necessity for the achievement of full Swaraj by India at the earliest possible moment, we have to remember that under any Government, as has been said by an eminent jurist, "the respect for civil liberties is the touchstone of everything for which any civilisation worthy of the name stands." We have therefore to work and strive in faith. And the faith that should animate

us in the struggle before us cannot be put in better language than that of Alexander Hamilton : "The sacred rights of mankind are not to be rummaged for among old parchments or musty records ; they are written as with a sun-beam in the whole volume of human nature by the hand of Divinity itself and can never be erased or obscured by mortal power. I consider civil liberty in a genuine unadulterated sense as the greatest of terrestrial blessings I am convinced that the whole human race is entitled to it that it can be wrested from no part of them without the blackest and most aggravated guilt.

### Resolutions, Passed

The following resolutions were moved from the Chair and carried unanimously :—

(1). This conference condemns the arrest and detention of Mahatma Gandhi as a wanton affront to the Indian nation, demands his immediate release and urges on the British Government the imperative need of opening negotiation with him with a view to bring about satisfactory settlement of the national demand.

(2). This conference expresses its sympathy with all journalists, who in the discharge of their duties are suffering imprisonment and condemns the action of the local governments in not according to them the treatment consistent with their rank and status as educated men belonging to an honourable profession.

(3). This conference representing newspapers, printing presses and allied trades and industries emphatically condemns promulgation by the Governor General of the Press Ordinance as a measure which is subversive of liberties of the press and fundamental rights of freedom of opinion and thought of citizens opposed to all cannons of civilised government and the measure is calculated to injure real interests of country by suppression of public opinion by its provision of summary executive proceedings as well as an economic danger to the country in as much as its operation will result in serious dislocation of trade and industry generally and specially in the ruin of printing and allied trades and industries and thus entail forced unemployment of thousands of skilled and unskilled workers and the conference therefore demands its immediate withdrawal.

(4). This conference resolves that such action as had already been taken by Government under the present Ordinance is most unjustifiable, uncalled for and vindictive and demonstrates, as is the experience of the working of the Press Act of 1920, the danger of arming the Executive with wide and arbitrary powers and that in particular the action taken in Delhi simultaneously with the promulgation of the Ordinance against all newspapers and printing presses is not only illegal but also exposes the hollowness of the claim made on behalf of the Government in the Home Secretary's reply to chamber and bureau, that the Ordinance is not intended to restrict the dissemination of news.

(5). This conference resolves that as a mark of protest against the Press Ordinance there should be complete stoppage of all work in the office of every newspaper and periodical and printing press and other allied trades and industries on Tuesday and Wednesday, the 20th and 21st May 1930.

(6). On the main question of what action newspapers were to take the Committee had drafted the following resolution This was put from the Chair :—

"While appreciating the action of newspapers and the press in Delhi, Calcutta, Lahore and other places in suspending publication of newspaper as an effective protest against the arbitrary and improper use of the Ordinance this conference is of opinion that it should be open to newspapers and presses which have been or are hereafter called upon in the first instance to furnish security to do so provided that newspapers and presses which are members of this conference should not furnish security if their first security is forfeited and that the Committee of Action hereinafter appointed should thereafter take such steps as may be possible to ensure joint action of all members of this conference and of other newspapers and presses which may agree with the view to assert rights of the press."



Mr. Sadanand moved the following amendment —

"Where security is demanded from the printer or publisher of and organ of political opinion the printer or publisher shall refuse to furnish security and cease publication, entrust the Committee of Action with the task of devising ways and means to secure the earliest repeal of the Press Ordinance including, inter alia, (1) suspension of publication of all nationalist organs of opinion all over India, (2) organisation of boycott of all organs of public opinion which support the Press Ordinance, (3) withdrawal of employees from the above presses and (4) organisations of effective methods of collection and dissemination of news and propagation of political opinion which it is sought by this Ordinance to debar".

Mr. Sadanand said that the amendment was self-explanatory and as the question had been discussed at length in the committee and his intention in moving the amendment was only to place on record the opinion of those who did not think the action proposed in the main resolution adequate to meet the needs of the situation.

Mr. Ferozechand of Lahore supported the amendment. It was then put to vote without any discussion and was lost 8 voting for and 12 against. The main resolution was then put to vote and was carried 13 voting for and 7 against.

(7). The Conference then adopted the final resolution which runs

"The conference hereby constitutes a Committee of Action consisting of the following gentlemen for the purpose of carrying out the resolutions of the conference and taking steps for the purpose of establishing a Press Defence Fund with a view to assist newspapers and presses with the members of the conference to fight the Press Ordinance and all proceedings and actions taken by Government thereunder and to concert measures to secure joint action with a view to the repeal of the Ordinance —Messrs. Rangaswamy Iyengar, Ramananda Chatterjee, Shahni, Brelvi and Kalinath Roy.

## The U. P. Zamindars' Conference

The following is the full text of the resolutions passed by the U. P. Zamindars' Conference held at Lucknow on the 6th. February 1930 with Nawab Sir Mozumillulah Khan in the chair :—

1. This Conference of the landowners of the United Provinces condemns with feelings of abhorrence the dastardly attempt made to wreck the train conveying their Excellencies the Viceroy and Lady Irwin and congratulates them and their party on their Providential escape. It warns the country that such detestable crimes are not only extremely harmful to the political interests of India but are also very debasing to her high standard of morality, religion, and culture.

[ Put from the chair and carried unanimously.]

2. (a) This Conference condemns the spirit of revolution and communism that is gradually creeping into this country from outside. It is alien to Indian culture and civilization and repugnant to Indian sentiment. If the activities of communism will be allowed to go unchecked, it is sure to subvert the structure of Indian social and political order and thus lead to anarchy and economic chaos.

(b) This conference strongly disagrees with the adoption of the Independence creed by the Indian National Congress and hopes that the leaders of the Indian National Congress will not deprive the country of their co-operation for the political uplift of India.

[ Proposed by the hon. Raja Sir Rampal Singh, K.C.I.E., seconded by Khan Bahadur M. Fashihuddin, M.L.C., of Budaun, supported by Rai Bahadur Babu Vaidyanath Das of Benares, and carried unanimously.]

3. This Conference gives expression to its appreciation of and cordially welcomes the announcement made by His Excellency the Viceroy on the 31st October, 1929, and urges all patriotic well-wishers of the country to support the Round Table Conference to be held in London and to send representatives to confer with the British

Ministers in order to evolve a Dominion Constitution for India with full regard to her present and future needs and requirements. It strongly lays stress on the fact that the landowning classes whose interests the British Government is morally bound to safeguard have the greatest stake in this country, and prays that they should have adequate representation commensurate with their stake in the Round Table Conference.

[ Proposed by Raja Jagannath Brksh Singh M. L. C. of Rae Bareilly, seconded by the Raja Sahab of Tamkohl, M. L. C. of Gorakhpur, supported by Sardar Autar Singh of Bahraich and carried unanimously ]

4. This Conference urges that simultaneously with the attainment of Dominion Status for India it is essential that there should be a second chamber for this province. It further urges that special landholders' electorates should continue and the number of special landlord seats should be increased to at least sixteen in number.

[ Proposed by Rai Bahadur Thakur Mashal Singh of Hardoi, seconded by Lala Hari Raj Sarup, Secretary, U. P. Zemindars' Association, Muzaffarnagar, and carried unanimously ]

5. This Conference is strongly of opinion that Dominion Status should be the immediate objective of British policy in India; and that the landowners of the United Provinces should support, join and co-operate with those organizations which are striving for it by constitutional means.

Proposed by Major D. R. Ranjit Singh, Secretary, Agra Province Zemindars' Association, Allahabad, seconded by Rai Sahab Lala Hari Krishna Das of Lucknow, supported by Rai Bahadur Thakur Hanuman Singh Lucknow, and carried unanimously ]

6. This Conference appreciates and welcomes the appeal issued by Sir Tej Bahadur Sapru and expresses its willingness to co-operate with him in his efforts to bring about the greatest measure of agreement between all parties, communities and classes in order to make a united demand on behalf of India at the Round Table Conference.

[ Proposed by Rai Bahadur Lala Mathura Prasad, M. L. C., of Sitapur, seconded by the Raja Bahadur of Padrauna, Gorakhpur, supported by Rai Bahadur Thakur Amar Singh of Pali and Rai Bahadur Lala Jagdish Prasad, M. L. C. of Muzaffarnagar and carried unanimously. ]

7. In view of the grave political atmosphere in India and the statesmanly and generous advocacy of her interests by His Excellency Lord Irwin, this Conference prays that His Majesty's Government may be pleased to extend his term of office to such period as the impending revision of the Indian constitution may require and it further appeals to His Excellency Lord Irwin to be so kind and gracious as to agree to be long enough at the helm of affairs so that India may have the benefit of his sagacious guidance.

[ Proposed by the hon. Raja Moti Chand, C. I. E. of Benares, seconded by the Raja Sahab of Tamkohl, M. L. C., Gorakhpur, supported by Maulvi Syed Habibullah M. L. C., of Jalaun, and carried unanimously. ]

8. This Conference resolves that a Working Committee be appointed to take such steps as may be necessary from time to time to safeguard the interest of the landlords, that the hon. Nawab Sir Mahomed Mauzammil-ul-lah Khan be its chairman and that it consist of twelve members nominated by the British Indian Association of Oudh, the Agra Province Zemindars' Association and the United Provinces Zemindars' Association, each nominating four members and the committee having power to co-opt other members and to frame its own rules.

#### BEHIND THE SCENES

The draft resolution recommending a second chamber in every province stood on the agenda in the name of Rai Bahadur Lala Jagdish Prasad of Muzaffarnagar. But when asked if he would move it, he refused as he did not want to commit himself to that opinion. He pointed out that public opinion in general considered second chambers to be the graves of all good causes as was shown by the Council of State

which was considered to be a reactionary body. Rai Rajeshwar Bali, the respected talukdar ex-Minister, Rai Bahadur Jagadish Prasad and progressive zamindars co-operated effectively to recast the draft resolutions on liberal lines.

#### A PATROTIC SPEECH

All speeches were in Hindustani. Rai Bahadur Lala Jagadish Prasad in his speech argued that there was not only the communist whose active propaganda for the total annihilation of the landed aristocracy and the capitalist order was a source of great danger to the zamindars, there was not only the Congress presidential address which might have created an apprehension in the minds of the zamindars that they were not looked on with favour in that quarter, there was not only the youth movement extremely distrustful of all the landed and capitalist and other vested interests ; but almost all the non-zamindar classes and interests looked down upon the zamindars considering them to be a useless body. The reason for all this was that the zamindars did not take their proper share in the fight for the political freedom of the country ; and the three principal zamindars' associations in these provinces were considered by non-zamindars to be meant more to give addresses and parties to Governors and Viceroys than to serve any really useful purpose. The zamindars depended too much on the Government and considered the latter to be the very backbone of their existence while the Government were, really speaking, opportunists. If the zamindars wanted really to safeguard their existence they must co-operate with some of the political parties in the country and work conjointly with them. With the latter object in view Rai Bahadur Jagadish Prasad was of opinion that the 'Liberals' were the most suitable party in the country with whom in the present circumstances, zamindars had better throw in their lot. Unless the zamindars thus stood on their own legs their future must be gloomy indeed.

## The U. P. Zamindars' Association

The 34th annual general meeting of the U. P. Zamindars' Association, was held at Muzaffarnagar on the 9th. March 1930. The following resolutions were adopted :—

(1) That the annual general meeting of the Association endorsed resolution no. 3, of its executive committee about political situation in the country, passed at its meeting held on Jan. 16 last and resolved that in view of the forth-coming constitutional changes and the impending civil disobedience movement, it is very essential that the zamindars should consolidate their own position and organise themselves effectively and also try to improve their relations with the tenants. It further appointed a sub-committee of all the five office-bearers, mentioned above, with powers to co-opt members from the different districts to tour in the districts and organise Zamindars' associations

(2) That the meeting further considers it its duty to apprise the leaders of the civil disobedience movement of the grave danger to ordered society with which their movement on which they have decided to embark is fraught and urges upon the Government to accede to the unanimous demand of the country for Dominion Status and announce the date and personnel of the Round Table Conference at the earliest opportunity.

3 (a) That the general meeting welcomes the recommendations of the Provincial Simon Committee and the Indian Central Committee for increasing the landlords' seats to 16 in the Lower House and for giving them good representation in the proposed Second Chamber but regarded the report as unsatisfactory in several other respects as they do not go far enough in solving the constitutional problems of the country in view of the unanimous demand of the country for Dominion Status.

(b) That the meeting further welcomes their recommendations for giving this Association the right of electing 2 out of 8 representatives for the Lower House and 1 out of 6 for the Upper House, but expressed dissatisfaction at the fact that the Committee, in making this recommendation, have ignored the popular constitution and the just claims and rights of this old association which in justice should have been given the right of electing 4 representatives for the Lower House and 2 for the Upper House, like the Agra Province Zamindars' Association, Allahabad.

It was also resolved that a copy of this resolution be sent by cablegram to the chairman, Simon Commission, London, with a request that this Association should be given the right of electing 4 representatives to the Lower House and 2 to the Upper House.

(4) That in continuation of this Association resolution no. 15, dated Dec 18, 1929 about the representation of Zamindars on the Round Table Conference the meeting further resolved that His Excellency the Viceroy be specially requested to take into consideration at the time of selecting representatives for the Conference, the rights and claims of this Association which primarily safe-guards and represents the rights and the interests of small Zamindars of the United Provinces who form more than 90 per cent of the huge Zamindar population of the Province and who in view of their large numbers and special inrerests require special representation at the Round Table Conference

(5) That the meeting congratulated the leaders assembled at Delhi at the invitation of Sir Tej Bahadur Sapru to solve the mutual differences and to prepare a common demand for the Round Table Conference at the progres made in the desired direction and expected that the efforts of the Patro Commit ee will end in success in solving the problem of minorities including the landlords and resolved that this Association is pleased to accept the invitation of Sir Tej Bahadur Sapru to take part in the deliberations when a large Conference is held to ratify the recommendations of the Patro Committee.

In view of the forthcoming Round Table Conference in London the meeting also resolved to appoint a sub-Committee to prepare the cases of landlords in the United Provinces in detail to be presented before the said Conference by their representatives. (From 'Leader,' Allahabad).

### The Executive Committee Meeting

The following resolutions were passed by the Executive Committee of the Association at Muzaffarnagar on the 16th January 1930 :—

1. The U P. Zamindars' Association views with apprehension the recent change in the creed of the Indian National Congress and the means and methods proposed to be adopted by the Congress to achieve that goal and considers this change as unfortunate at this critical movement in the constitutional history of India. The result of such a moment is likely to embitter the relations of zamindars and the tenants. The right thing in the opinion of this Association, for the National Congress at this juncture, was to rally all the different parties including landholders in the country on one platform and advocate their joint demand for Dominion Status before the proposed Round Table Conference in London, in order to show to the outside world that the whole of political India is speaking with one voice and making it thereby difficult for His Majesty's Government to overlook our demands. The Association regrets that this opportunity was missed by the Congress but fortunately for the country the National Liberal Federation at Madras issued a comprehensive appeal to all the parties in India to hold a conference and prepare a joint demand for Dominion Status. This Association endorses the appeal of the National Liberal Federation and is fully prepared to co-operate with it and to send representatives to the proposed conference.

2. This Association suggests to other zamindars' associations in this country to join this conference and try to frame a constitution best suited for the country and at the same time guaranteeing their own interests ; and further enjoins on every right thinking zamindar to shake off his traditional indifference and take his proper share in the constitutional fight for the political uplift of the country and educate the tenantry in the same direction.

3. This Association further makes it clear that any attempt to solve the constitutional problem of India without the co-operation and consent of the landholding classes is bound to end in naught and prove detrimental to the best interests of the country

4. The Association also impresses upon the Government the urgent necessity of their purpose by actual change in their policy and concede to the unanimous demand of the country for Dominion Status the actual form of which will be settled at the Round Table Conference which should be convened as soon as possible because the longer the conference is postponed the greater the suspicion that will creep into the minds of the people.

# The European & Anglo-Indian Polity

## The Calcutta European Association

Speaking at the annual dinner of the European Association held at Calcutta on the 7th. February 1930, His Excellency Sir Stanley Jackson, Governor of Bengal, said :—

I greatly appreciate the opportunity which has been afforded me to-night of meeting the members of the Calcutta branch of the European Association. The duty falls upon me of responding to the toast of the guests which has been proposed by the Chairman in such kindly and generous terms.

There was just one moment when I thought that Mr. Villiers was experiencing difficulty in dealing with his task. He appeared to express a preference for honouring this toast and some doubt as to the pleasure to be derived from proposing it. However a little elaboration showed that he was not only pleased to propose the toast but by his kindly remarks made us all feel under obligation for his most cordial welcome. I was surprised to hear Mr. Villiers remark that this branch of the European Association was being resuscitated, as though it had been seriously ill and suffering from inertia and that it had not quite recovered that vitality which it used to possess and which is necessary for its usefulness. It appears that if ever there was a time when such an Association might be expected to perform really useful work, it was under the conditions which existed in India to-day and it should not be necessary to have to whip up interest and support the European Association of India of which you in Calcutta are an important or, as Mr. Villiers stated, a main branch which has long enjoyed a position of authority and influence.

Your views and your advice on matters of political interest are welcomed and weighed with that respect due to them by those responsible for the administration of Government locally and by the Government of India. Your opinions also command the respect of the public in Great Britain, which is ready to regard statements of the European Association in India as authoritative. The value they attach to your views arises from the belief that they are formed upon experience and based upon practical and balanced judgment. Such use of your views must impose additional responsibility upon your conclusions.

I listened with much pleasure to the excellent speech of your Chairman this evening and I gathered from his remarks that whilst the objects of the European Association in India are the maintenance of British rights and the protection of European minorities, they are also deeply interested in the welfare of India and its political and social development through the ordinary evolution of political reforms and they endeavour to enlist the co-operation of all loyal Indians to this end.

The latter object has been repeated by Mr. Villiers to night with some emphasis and it should place you on good terms with all fair-minded Indians. Mr. Villiers said that he regarded the presence of your guests here to-night as a sanction of your policy. If your policy is what I have just stated and which he has slightly elaborated he may take it that no one will avail themselves of the sanction he offers to express their protests by walking out.

Most of those present here to night are, I believe, residents of Calcutta. In such gathering in ordinary times I might be expected to devote some of my remarks to matters of local interest but I realise, as you do, that these times are not in India ordinary times. The larger political issues must overshadow local affairs in the minds of every one. I gather from the speech of your Chairman to-night that the European Association mainly interests itself in matters of a political nature directly affecting the European community in India.

The only matter of local political importance I should like to mention is the prospects of my new Ministry in a Council which, I am hopeful, will prove of a more constructive disposition than I have known for the last few years. I hope that if they create the same impression upon the public, as they have done upon me by their handling of their administrative responsibility in their individual offences, they should meet with general support. Their advent has concided with the exodus of the

Congress Party from the Legislative Council consequent upon the decision of the Congress conference, an action which I do not think my Ministers anticipated and one which I have little doubt they regard with mixed feelings.

The course that events have taken in the political life of India during the last few months is well-known to all here and it is not necessary for me to recapitulate them to-night. It is but natural that they should be followed with deep interest by the Europeans living in India who largely derive a livelihood in work of one kind or another in which they are engaged.

I feel I am right in believing that the confidence of all Europeans in India in the man at the helm, upon whom the greatest burden of responsibility rests in these difficult times, remains unshaken and that we here to-night can assure the Viceroy of our loyal support and sympathy in the discharge of his onerous duties.

The Viceroy's announcement last November and his declaration of the proposed conference between representatives of political opinion in India and the Indian States with His Majesty's Government undoubtedly created a new situation. The announcement was accorded a favourable reception in all moderate sections of public opinion in India, including a conditional approval by the leaders of the Congress Party.

The latter, however, soon changed their views with the result that the generous offer, which appeared to be the limit of conciliatory effort, was definitely rejected and at the conference of the Congress at Lahore a declaration in favour of independence and severance from British connection was adopted. The proceedings of this conference are fast becoming history which, I feel, soon many will wish had never been made. By their action the Congress Party have placed themselves outside the field of practical politics and cannot be expected to take part in any further negotiations before the future constitutions for India is decided by Parliament.

In a speech to the Assembly the Viceroy elaborated his declaration of November last and his announcement of the intention to proceed with the conference regardless of the decision of the Congress, a decision which, I feel, will be welcomed with satisfaction by all Indians anxious for their country's political progress and who have the vision to appreciate that real progress can only be established on a basis which will last, through orderly evolution of political reforms.

It is obvious that real progress in constitutional Government in India cannot be made at breakneck speed without the gravest dangers to the country's general welfare. The views of the Congress must not be taken as the views of India. Men of moderate political views recognise the supreme folly of the course upon which the extremists have decided to embark and they realise the danger, not only to any political progress but also to the peace of the country if their mad proposals are allowed to take their course unchallenged.

There are signs on all sides that the Moderate politician who has for too long been silent and inactive is now being roused into activity and an opportunity undoubtedly offers itself as never before for them to render inestimable service to their country and to protect it from chaos and disaster which must be the inevitable result of following such a dangerous and irresponsible lead.

I have no doubt that the European Association will continue to discharge its corporate functions in the future as well as it has done in the past. The need of its activities in the future is not likely to be less than it has been in the past. You have expressed your views with some courage upon the complex problem of the future constitution for this country. I agree with Mr. Villiers that in these times each of you carries an individual responsibility and that it is incumbent upon all to cultivate an intelligent interest in the problems which confront us in India to-day.

You are deeply interested in the welfare of India and you have not hesitated to express your wish to assist India to progress towards the attainment of its legitimate ambition as a self-governing unit within the British Empire. The easiest and, I believe, the only way to assure this end is through mutual understanding that brings goodwill and the disappearance of fear and suspicion. To this end you are prepared to play your part and you ask for the co-operation of all loyal Indians.

### The Chairman's Speech

Mr. E. Villiers, Chairman of the branch said:—

The world knew or should know that the Association realises and understands

perfectly the natural desire of the country to manage its own affairs and to rule its own house even at the risk of that loss of efficiency which the writers of the Nehru Report themselves visualised as inevitable

It knew or should know that while the Association stands for fairness and equity to India, it also stands for fairness and equity to Europeans and to their own people who had done so much to make India what it is to-day. Provided understanding be met with understanding and reason with reason, India might look to the Calcutta branch for the championship of her intention to become, in the fulness of time, a 11 independent and self-governing unit within this great Empire.

Certain problems have got to be faced India's political march forward is not going to halt because any one party, or any one community has decided to keep aloof. A constitution acceptable to all has got to be evolved. If all parties take their share in shouldering this intellectual burden, a solution will be found which, he believed, would in the main be acceptable to all, and the only people who would find themselves left out in the cold, when a final settlement came, would be those who, through prejudice or indolence, had preferred to keep aloof.

After analysing the phrase "Dominion Status" Mr Villiers said that he was particularly anxious that none should misinterpret him as saying or implying that the crystallisation of their policy into these two words meant nothing and was merely used as a pinch of salt to put on India's tail

England's declared policy was definitely and clearly that of eventual Dominion Status. All he wanted to make clear was that until how and why and when were filled in,—and that was a gigantic task in the coming years—until that tremendous details as, for example, the question of Indian States and of army and communal issue had been evolved and settled, neither the extremists in London nor in Calcutta or Lahore had got the slightest excuse for crying "wolf"

"What we want to-day is that our representatives must be men having qualities of leadership, those qualities which make man wise in judgment, firm of purpose and swift to act, men who will see to it, that situations such as that which has arisen in Delhi do not arise. As yet it is impossible to say what exactly are the controlling factors of this undignified, this Gilbertian situation, but one of them is undoubtedly ill-advised, arbitrary and even partial in the use made by Mr. Patel of certain excessive, as it seems to me, powers wherewith the chair is vested

"Nor is this by any means the first time that there has been noticeable in the President that lack of impartiality which is so utterly destructive of all confidence. But if the confidence in the chair has been shaken, the confidence in the Home Member has frankly been shaken, and it still remains to be seen what steps Sir James Crerar is going to take to vindicate his impugned honour.

"We hold no brief for anyone. If Mr. Patel is again at fault he must be made to accept the full consequences of his fault. If the Home Member is at fault, the same must apply to him. All we ask and demand is that the Government of the country shall be so conducted as to avoid a repetition of this state of affair.

"The handling of situations such as these admittedly call for wisdom and courage of a high order and I cannot help feeling that, in part, this situation has been allowed to develop due to lack of these qualities in all sections of the House and to the tendency of those who enter the political arena to become saturated with party politics to the exclusion of statesmanship and a broader vision of what is intrinsically right or wrong."

### The Punjab European Association

Over 100 leading Europeans of the province, official and non-official attended the annual dinner of the Punjab branch of the European Association at Lahore on the 22nd February 1930. Among those present were His Excellency the Governor, members of his Executive Council, Chief Justice Sir Shadulal, Major-General Sir Walter and Lady Leslie, Sir A. and Lady Stow, Sir Jogendra and Lady Singh, Malik Feroze Khan Noon, Sir Shahab-ud-Din, Mr. Manoharlal and Sir Darcy Lindsay.

Mr. Owen Roberts who presided, proposing the toast of the King Emperor, gave expression to their deep thankfulness that no injury was sustained by the Viceroy and Lady Irwin and others as a consequence of the outrage on the Viceregal train. He continued :—

"Dating the vision of statesmen to lead India to the pinnacle of Dominion Status, no farther back than 1917, we find that it was conceived during the throes of the Great War when fundamental matters regarding the rights of nations were present in a specially acute form in the minds of men. The birth-pangs of the first stage towards the realisation of this vision in this country were the widespread movements of non-co-operation and resistance, and though these died down it should be no matter of real surprise to anybody that a renewal of something of the same sort is threatened to-day.

"But whatever weight is to be attached to it, we must remember that it will not have to be met on this occasion with bare hands and the suggestion that the new dispensation should be given a chance of proving itself. In fact, when such a movement arises, the supreme test of the success of the impulse towards self-government, with the attainment of Dominion Status in view, will be the degree of organised opposition by the people themselves that is offered to any disruptive movement.

"In self-governing India the position and influence of the European community will be judged not only by its leaders but by the poorest of its members."

### The Governor's Speech

His Excellency the Governor said he need not dwell lengthily on the recent events in Lahore, namely, the Congress Independence Day.

"Knowing the Punjab as I do," he said, "a Punjab full of loyalty and common-sense, a Punjab which made notable sacrifices for the Empire and attained greater progress within the Empire and under the Imperial aegis than any other part of India; a Punjab confident, from its experience of working the present reforms, in its power of realisation of future self-expression and contentment on the lines of constitutional development within the Empire, a Punjab in whose great destiny in India within the Empire I have the most implicit trust—I should gravely err if I attached too much importance to these ebullitions as far as this province is concerned.

"I know also the face value which all reasonable opinion in the Punjab attaches to them. But again I should equally err if I and my Government neglected to take steps to safeguard the province against the morasses, dangerous to its peace, progress and prosperity, to which the will-o'-the-wisps of the Independence propagandist seek to lure the ignorant, the unwary, the credulous, the misguided and the immature.

"The Viceroy has indicated clearly and forcibly the steps which the Government of India propose to take to deal with the campaign of subversion of the established Government in India and maintain law, order and peace in the country. The Punjab is determined that it shall not be forced to run risks like Chauri Chaura again and those who seek to entangle the province in them and break the law shall be dealt with under the law."

Concluding, the Governor alluded to the importance of unanimity among all attending the Round Table Conference. "Between now and then (the opening of the Round Table Conference) the main task in India seems to be how best to work out a solution of the problems of India and its future good in a spirit of mutual understanding, sacrifice and restraint among the many interests involved in this country."

Dr. Roberts said the Punjab would demand from its ministers high courage, true vision and statesmanship in leading the country to self-government in the Empire.

*Sir Jogendra Singh*, Minister of Agriculture said: "There is something very fascinating in young England leading old India along the paths to the pinnacle of power which her sons have attained. There is thunder and lightning in the air and unless we pursue the path of progress undisturbed it would be as difficult to get true action out of the tide of opinion swept by passions and prejudices of the moment as it is to get fire out of incense smoke. I only pray we may all combine and do all in our power to maintain a calm atmosphere and help the growth of comradeship to secure ordered progress."

*Mr. Manoharlal*, Minister of Education referring to the activities in which they were engaged, whether in the promotion of education or industries or in repelling disease and other constructive work said that as long as work along these many channels proceeded successfully, "whatever the agitators think, we are on healthy and sound lines."

*Malik Feroze Khan Noon*, Minister of Local Self-Government, said the so-called All Parties Conference was not an All-Parties Conference. There were only two Muslims there. The Maharaja of Mahmudabad never attended it and Mr. Sarda Dandi merely signed the report by post. The Nehru report was the outcome of



this conference and merely said. You Englishmen clear out of India and let us step into the shoes of Englishmen and govern the country like autocrats.

Referring to the Congress programme he recalled the Persian couplet, "Threaten him with death and he will be quite pleased with fever," and said the Congress people were threatening independence in order to get Dominion Status. He emphasised that Moslems were out of the Congress movement and asked Europeans not to be frightened by independence resolutions or hoisting of national flags. "Keep your courage India is as safe as England," he concluded.

Lt.-Col Boyd and Major-General Sir Walter Leslie dealt with the importance of co-operation between the military and civil administrations in difficult times.

Mr. Guest said European representation in the legislatures was absolutely necessary. Europeans were one of the minority communities and as such, if they did not wish to be ignored, they must let those in authority know that they existed.

Mr A. Gilbert eulogised the Central Association and Colonel Crawford gave in detail the achievement of the Central Association in various directions.

*Sir Darcy Lindsay*, reviewing the present political situation, said — "I am no pessimist of defeatist. The world is ever changing and India has shown that she does not intend to remain behind. Your Association has very clearly shown that it intends to help the European community, which has certain very definite needs which cannot be overlooked.

"It is for our Indian fellow citizens, so vigorously pushing forward to a perfectly legitimate goal, to secure our support to their effort by putting forward a scheme which will give us, indeed, all minorities, the fullest confidence that the advance will not jeopardise any legitimate interests.

"To my European friends I say, try to get inside the mind of our Indian friends better to be able to appreciate their point of view, their wants and aspirations and as to where the shoe pinches. Tolerance, goodwill and mutual understanding are the keywords and, for my part, I am sure it has been your experience, there is usually a ready response from the other side.

"It appears to me that the real India needs, nay welcomes, our help in promoting industries and carrying on the trade of the country. Days of aloofness, where such has existed, are past and a new India is now in a state of awakening and evolution. We must make all endeavour to row in one boat of progress and break down the barriers which have been set up by both sides.

"Only a few days ago I attended the opening of the annual sessions of the Federation of the Indian Chambers of Commerce and Industry and it occurred to me that good would surely result from an annual meeting of the Associated British Chambers and the Federation of the Indian Chambers of Commerce, at which important matters of common interest could be under discussion with mutual advantage to all.

"In my experience in committee work I have learnt that much can be done by mutual understanding across the table and would-be tigers become as docile as, shall I say, lambs in removal of points of misunderstanding.

"Reference to committee work takes me back to the main subject of my speech in the Central Legislatures where much good work is done in committees and I can assure you, at times, very important work of great moment to our community.

"I can talk with personal experience of 10 years, having entered the Assembly in 1921, and I look back with pleasure and pride to the steady progress our group has made in securing in Councils a position of importance but better than that, we have secured the esteem and respect of. I venture to say, all parties in the House.

"You will no doubt have read in the press of resignation of a member from the group and the statement he has issued explaining his point of view. I do not propose to weary you with a statement from myself but I do desire to give you an assurance that in the attitude we have adopted, in connection with the recent matter, to which undue prominence has been given, I have had the united approval and support of other members and no one deplures more than myself that one member should have cut out for himself an independent line which the group in their united judgment was not prepared to follow.

"Mr. Arthur Moore is an old friend of mine and I very sincerely hope that we will always continue as such. Nothing would therefore please me more than his early return to the fold, if he can see his way to agree to follow such course of action on vital issues as the group may, in their judgment, decide upon.

"Now, a word to my Indian friends throughout the country and that is to plead for tolerance and to try and look at things through spectacles not blighted with racial bitterness which is creating an atmosphere so harmful to all parties.

"I also plead with a section of the Indian press to cry a halt and abstain from the insidious poison of mistrust they are lading out to their readers. Some of the utterances remind me of the "Hymn of Hate" we heard of in wartime, extreme exaggerations, the best of intentions misconstrued and doleful tale of alleged oppression and wrongs.

"In conclusion, let me say that there is no denying the fact that times are difficult and will be more difficult no doubt in future and will call for courage and statesmanship on all sides. The duty of Britishers in this country is to recognise that it is the country of their adoption and to bend their minds to work for its constant advance in all spheres. That does not necessitate the waving aside of undoubted obstacles by some fairy wand but the recognition of them and determination to surmount them rather than to consider them as obstacles to progress for all times. My advice to your branch, in fact to the whole community, is at all costs to face the future with a fair mind, courage and imagination."

### The Dooars European Association

Addressing the annual meeting of the Dooars Branch of the European Association on the 16th March 1930 according to a report in "The Englishman" of the 17th instant Mr. T. Chapman Mortimer Assistant General Secretary of the Association dealt chiefly with the Indian political situation.

Since November last," he said, "the situation in India has radically changed in certain respects and we find to-day a large number of Indians both Hindus and Mahomedans, who are prepared to co-operate with the British Government at the proposed Round Table Conference.

"I have heard—many of you also have possibly heard—that among the ranks of co-operating Hindus and Mahomedans there is a certain feeling that they are not receiving as much support as they would like. Whether there be grounds for this feeling or not it is not for me to say. The regrettable facts remain that such a feeling exists and somehow or other the reasons for it must be dissipated. My own personal view is that, in part at all events, this feeling has arisen owing to the fact that the co-operators like many others, both in and out of official circles, have failed to realise the conditions under which we are working to-day. The Government of India is still a bureaucratic Government and in spite of the large measure of reforms introduced in 1921, it is not a responsible government.

"These two facts make it impossible for the Government of India to come out into the open as much as we should perhaps like in support of those prepared loyally to work the constitution which are before us. More than that, they imply that unless and until reforms are introduced, the Government—which is responsible like any other government, whether democratic or not, for the well-being of its subjects—is bound to maintain its authority in any circumstances and by every means at its command. This is its primary function and it is as well at this juncture that this fact should be realised. The co-operators or at all events some of them feel that they are entitled to a greater measure of support from some quarters than they now receive, but I think that they have, to some extent at all events, looked in the wrong direction. Your council has recently, in the press, reminded the public that one of the aims of the Association's policy is to work with those who are prepared loyally and constitutionally to work for the good of India. The European community, during these last ten difficult years, has shown over and over again that it is prepared to work for the ideal laid down in the Declaration of 1917."

### EUROPEAN ATTITUDE

"In our memorandum to the Simon Committee we have made it perfectly clear that we are not hostile to Indian aspirations and that provided Indians are prepared to co-operate with us, we also are prepared to co-operate with them. Real co-operation, therefore, we will always welcome. Recently, in Delhi, efforts have been made to collect together the leaders of the various communities and among those represented was the European community through our General Secretary, Colonel Crawford. The meeting has adjourned until April 6, when the Committee will reassemble in Bombay and before that day comes we hope that the members of the committee will give careful considerations to the terms and tacit assumptions under which they are meeting. A most difficult task lies

before them and unless this task is approached by the right method and with a clear understanding of the attitude of all those engaged in the conference they will fail. Certain great problems lie in the way of India's goal of responsible Government and these cannot be cleared away by bargains dictated by political expediency. To bargains arrived at in such a spirit, the Europeans cannot be a party any more than they will be a party to theoretical discussions as to what Dominion Status does or does not mean. These preliminary conferences in India, if they are to be effective, as we all hope they will be, must be devoted particularly to three things—(1) who are to be India's representatives at the London Conference, (2) how these representatives are to be kept in touch with their parties in India, and (3) the angle from which the all-important problem of the electorate is to be approached. If they result in some measure of agreement on these three things the preliminary conference will not have been held in vain. If, however, the delegates ignore these questions and enter into either wrangles of 'political bargains' they will do infinite harm not only to their own credit but to the cause of India.

"I turn now from the co-operators to the Government. Good government, like good business, is based upon confidence in itself. Without confidence in public support, no government can hope to act with that sureness of touch which is the mark of the highest statesmanship. Just as weakness, vacillation and indecision are born of lack of confidence or of a failure to understand the facts of a situation so, as surely, firmness, prompt action and decision mark the career of a government sure of itself, confident in the help of its supporters, and certain of the supreme wisdom of its policy.

"The European community is prepared, now as formerly, to extend its support to the Government of India, but that support will most certainly not be a blind support. The Government draws its strength not from the seat of its capital far removed as it is from the great commercial centres, but from the populous provinces of the country and its great cities and seaports. It is essential, therefore, that the Government take steps to keep in the closest touch with public opinion and, in particular, to consult on matters of policy the leaders of the pro-Government parties, of which, at the present time, not the least important, or the least influential is the European community. Bad trade conditions inevitably increase the difficulties of the Government of India; but the problem to which I desire to draw your attention is the reaction between East and West. Somehow or other we must solve this problem and find some suitable synthesis for East and West; but the solution of it will not be found if we fix our eyes only upon our local difficulties here in Bengal. We must try to take a wider and a larger view if we are to understand the reasons of high Imperial policy which underlie the course of action now being pursued by the Viceroy and the British Government.

"The situation to-day is grave, but the British community in India holds the key to that situation, as recent events have amply shown to those of us who know the facts. Let us take for our watch-words, as Mr. Travers said, 'Preparation, Organisation, Unity and Service.' But I would ask you to do more than that. All these things, important as they are, are not enough unless we have confidence in ourselves, confidence in our leaders, confidence in our Council. To this I would add also confidence in our Vice-President, Mr. W. H. Thomson. Mr. Travers and the Executive in Calcutta realise better than anyone what Mr. Thomson has done and is now doing for the Association, and indeed for the whole non-official community in India. On him, in Mr. Travers' absence, lies a tremendous responsibility in this anxious time, and I ask you now to accord to him a hearty vote of confidence as a mark of the appreciation of his work which I am sure you feel. Great Britain has passed through greater crisis than that with which she is now faced in the East, and always she has surmounted them with that supreme courage and statesmanship which have enabled the British to build up the greatest empire the world has ever seen. What we have done in the past we can do again. Failure, as Lord Irwin said, is unthinkable, and I, for one, am confident that we shall not fail."

Three resolutions were unanimously passed approving of the Council in regard to Dominion Status as enunciated by the President in his speech at the annual general meeting, expressing support and continued confidence in Mr. M. R. Thompson and the Central Executive of the Association; and welcoming the activity displayed by the Calcutta Branch and by its chairman and committee and fully

approving the proposals recently accepted by the Bengal Provincial Committee for the re-organisation of the Committee on lines calculated to bring about greater co-operation between the Calcutta and the other Bengal branches

### The Madras European Association

The annual meeting of the Madras Branch of the European Association was held at Madras on the 27th. March 1930 with Mr G. W. Chambers, the President, in the chair. Mr Chambers presented the annual report and statement of accounts of the branch for the year ending December 1929 and moving the adoption of the report spoke as follows —

"To turn to the report for 1929. You will see from the report that the branch membership has gone up in the year by 89 and that the membership was 1209 at the end of the year. Unless Bombay has made a very sudden and abnormal increase we remain the second largest branch. Since the end of the year we have had a small batch of resignations not due to transfers or retirements from India, but only one member has given his reasons, namely that the policy of the association does not meet with his approval. I wish that such members would tell us a little more. Will members now indicate if they agree to the continuance of debates? (Cries of 'yes') I venture to recommend the proposal and to say that those in charge of the debates will welcome suggestions as to subjects. Probably more in the way of politics would be a good thing and even the presence of political opponents to debate with our champions may be arranged. I happen to have seen one proposal for a debate but I don't know how it will appeal to you. It is that the general level of salaries should be reduced. A gentleman from the mofussil is prepared to advance arguments to this effect. I feel that there may be something to be said for the idea if it to be confined to those with less than 23½ years service."

Having spoken about the Sub-Committees referred to towards the end of the report, Mr. Chambers said :

"The general political situation in India seems to be as mixed as usual. The Congress, on paper at any rate, has come out in what I may call, a violently red eruption but one may suppose that the main body does not really commit itself to the repudiation of the national debt of India not incurred in the interests of India, whatever that may mean, and we may hope that all the other crudities advocated at Lahore in December and even later elsewhere are intended for the front window, so to speak.

I know this is a mild view to take of the Congress programme and that many people might say, "we don't agree with your making light of the Swarajist policy like this. We have eyes in our heads and we have watched day in and day out for years the widespread and persistent campaign of insinuations against almost everything British, the systematic abuse of Government and its officers and the attacks of British commercial enterprises, especially in the legislatures and in the way of fomenting strikes and industrial disputes."

"In support of one of the above statements you might quote to me the agenda of the Congress of Indian commerce which met in Madras in December 1927 but if this date is not exact it was certainly not long ago. I haven't had an opportunity to verify if all the items were actually discussed and passed but I do maintain that they contain definite attacks on British commercial interests.

"You may go on to say that such a spirit of unrest and ill-feeling is abroad in India, that it is highly debatable whether any marked relaxation of Government's control is possible in the near future.

"If such observations are made I am not going to deny their substantial truth but then I say where are we? The blend of Western and Eastern ideas in India has undoubtedly produced a situation that can't be perpetuated. Great Britain is pledged by the Declaration of 1917, renewed in a recent pronouncement, to take a certain course and our association naturally is in sympathy therewith and time and again we have stated our position, and I need not do so now.

"I shall be coming very shortly to certain definite opinions expressed by the President of the association at the last annual general meeting which were endorsed by the members but meantime I will assert that the association emphatically repudiates any policy that endangers the safety and prosperity of any race, religion or community inhabiting the country we live in.

"Personally I trust that the report of the Simon Commission due after Easter for simultaneous publication in England and India will receive the attention rightly due to the prolonged and careful exertions of an experienced set of investigators. The facts will be there and I urge all to study their findings and also to refresh their memories of the Butler Report on the Indian States.

"Next comes the Round Table Conference. I wish to emphasize what our President said at the last annual general meeting. Mr. Travers contended that there were three problems which must be solved before complete responsible government was possible in India. Firstly The relations of British India and the Indian States must be settled in a way that commands the assent of both sides. Have we reached that point? Secondly: The Military and Naval defence of this country, both internal and external, must be settled. Again, I ask, Have we reached that point? Thirdly The political relations and interests of the various peoples in this Sub-Continent require some sort of concordat. For instance, do Hindus to-day admit the claims of Muslims as regards electorates?

"To this I may fairly add that the legitimate commercial interests of our community, among others, ought to be assured of fair treatment. The Coastal Reservation Bill is still apparently approved of by a considerable section of Indian opinion, and this alone gives reasonable ground for our nervousness. Such then are the major problems before the Round Table Conference.

"Prominent people of all the various minority communities have very wisely already met to discuss the personnel of the representatives of India, and to try and settle the programme which these representatives are to advocate at the Conference. In my view, these delegates must not only be men generally acceptable to their various communities but must know the broad outlines of the limits outside of which they must not commit these communities, at any rate without referring again to India.

"If representatives of India thus equipped meet the representatives of Great Britain, the latter ought to be able to study at first hand many points of view that they have so far only been able to encounter at second hand, or in other inadequate and possibly inaccurate ways. Even if the conference does not contain a single Swarajist it will certainly have the benefit of Congress comments, this seems a fairly safe prophecy, when we remember the passionate interest taken by that body in the tours and sittings of the Simon Commission although officially the Congress had nothing to do with it. I don't know if you would like a word or two about the great gallery dispute in the Assembly. I know something about it because I sat for the first seven weeks of the present session. Quite possibly you read an item on the subject from time to time in the papers and you soon came to conclusion that extraordinary delay was taking place and that the Tennis Finals of the M. U. C. or at Chepauk were more interesting any way. I don't blame you. The settlement of the dispute was undertaken by His Excellency the Viceroy, one or more of his officials, the President of the Assembly and the 5 or 6 leaders of parties. Well, these people did take several weeks and they did keep all the rest of the Assembly in complete ignorance of what was going on. Those who hold that the rank and file of political parties should not entrust the settlement of such a dispute (which really was not vitally important) to their leaders, may certainly blame the various parties, but why single out the European group for special abuse as was done.

"Mr. Moore left the European Group in connection with the gallery dispute and because he disapproved of the group's policy on, at any rate, the general attitude of the President of the Assembly. 'The Statesman' newspaper has been prominent in the campaign, and perhaps most of you are not aware that Mr. Moore is 'The Statesman's' special correspondent in new Delhi.

"In conclusion, and to revert to local affairs, I congratulate, if I may, the members of this branch on the interest they have taken during the last year in the Association which has been shown by several attendances running well into three figures at debates and meetings. The committee feels encouraged by this specially when it remembers the 20 or 25 members who constituted a meeting not so long ago. Please don't forget that is the interest of the main body that keeps any show alive and progressive and don't forget that our Indian fellow citizens take a very vivid interest in politics and that we really must not let them excel us in this respect."

# The Federation of Indian Chambers of Commerce

DELHI—14th. & 15th. FEBRUARY 1930.

## Presidential Address

The Third Annual Meeting of the Federation of the Indian Chambers of Commerce was held at Delhi on the 14th & 15th. February 1930. Mr. (L. D. Birla in his address as president observed:—

Your Excellency and Gentlemen,—It is my proud privilege to accord to Your Excellency a hearty welcome on behalf of Indian Commerce and Industry as represented by the Federation. We fully appreciate the honour you have done us—not for the first time—by your presence as the Viceroy and Governor-General of India at our Annual Meeting, and I respectfully tender to Your Excellency our grateful thanks for your very kind response to our invitation. I also extend our welcome and thanks to the members of your Council whom we are so glad to find in our midst to-day.

Our welcome to-day is coupled with the most sincere congratulation on Your Excellency's providential escape from the recent outrage which sought to victimise you. No condemnation could be too strong for any such attempt; and we wish it were more widely known and realised than it apparently is that every such misdeed means a setback to the country's cause. It is so immensely satisfactory to find that there has been universal reprobation of the dastardly deed throughout the country and we, as a body, no less interested in the well-being and prosperity of our motherland than any other section of the public, should like to express our utter abhorrence of every such resort to violence and to say that a worse disservice to the country could not be conceived.

My predecessor in office referred in his speech last year to the unjust exclusion of Indian firms and nationals from the commercial organisations in London. I am glad to be able to say that since then progress has been made, for which the credit is due in a very large measure to Your Excellency. Indian commercial interests feel indebted to Your Excellency for the personal interest you have been taking in the matter and for the beginning of a new chapter to which your efforts have contributed. I cannot help thinking in this connection of the conciliatory speech of Sir Stephen Demetriadi, who set the ball rolling and who deserves our thanks for the attitude he has all along taken.

Since the last annual meeting of the Federation we have lost two of our best friends who were also two of the most doughty champions of the country's economic interests—I am referring to the death so unfortunate and in one case under such tragic circumstances of Mr. B. F. Madon and of Mr. Narottam Morarji. The Indian business world never stood in greater need of men of their ability and patriotism than to-day and the loss to the country is truly irreparable.

A year has gone since we last met, and for India its record has been anything but satisfactory. It has been a year of hopes deferred, of progress delayed, with no improvement in the situation, either economic or political, and with a positive setback so far as industry is concerned. Discontent and unrest have been deeper than ever and in the industrial sphere have found vent in general strikes affecting cotton and jute in Bombay and Calcutta respectively and sporadic disturbances at other centres. Figures are wanting which could give a full measure of the loss caused by such strikes to both employers and employed, but that it must have been considerable admits of little doubt.

There was a prompt settlement of the strike in Calcutta, and jute came out more or less unscathed. This was due to the prosperous condition of the industry which did not think it advantageous to prolong the strike and could well afford to make an adequate response to labour demands. Things were quite different in Bombay, and with the best intention in the world, it could not emulate Calcutta in this respect. There the industry was, as it still is, on the verge of death. And in the absence of the necessary margin on which to draw, it continued to look with mixed feelings on the situation, with the result that the strike was unduly prolonged

and broke down only when labour began to starve. But if there is no general strike for the moment it does not mean that there is no discontent or unrest. A more correct reading of the situation perhaps is that the fire has not been extinguished, it is only smouldering.

There are aspects of the problem which my association with the enquiry into labour conditions precludes me from dealing with here. But this I will say that in so far as both capital and labour in an industry have the same complaint, viz., mal-nutrition, traceable to the same cause, viz., general depression in the country, the worst thing they can possibly do is to fight and try to annihilate each other. There are undoubtedly more than one factor making for unrest on the part of the industrial labour. In the main, there is the sense of new awakening, a growing desire to raise the standard of living. This is a hopeful sign. The pity, however, is that the fund, out of which all dividend is to come, is so small. Every national activity, and industry most of all, finds itself in the grip of a general depression, the source from which all evil flows, and it is no wonder there is so much discord and strife around us.

The desire of labour for a larger income or better conditions of life is quite legitimate and laudable. But how to find the wherewithal to meet their demand is a problem yet to be solved, and any deferment of the solution essentially means trouble of a most acute kind. The situation must, therefore, be faced boldly and sympathetically. True there are industries, like jute and tea which have been enjoying, at least until recently, a run of prosperity, but then they derive their strength from a foreign source. All other industries which have necessarily to depend on the home market are in the throes of depression. In the circumstances, are they not right who contend that there can be no permanent and general improvement in the condition of labour unless there is all-round prosperity in the country? There must be an increase in the purchasing power of the people and thus a great demand for the service which industry renders, before there can be any real and lasting improvement in the condition of industrial labour.

Of that industrial prosperity, however, there are no signs on the horizon. Rather we seem to be losing ground even in fields from which we thought we could not be ousted. I refer to the foreign inroads in recent years on our agricultural industry which is the mainstay of our population. The large imports of wheat and imports of rice from foreign countries during the last four years are a new, and I may add, an alarming phenomenon in the economic history of India. The question which many serious-minded persons have been asking themselves is, how is it that the Australian grower of wheat can undersell the Punjab peasant in the Indian market and wrest so much territory from him? If it be true, as some maintain, that the imports are due to increased consumption, how is it that the Indian cultivator cannot produce enough to meet the demand?

Let those who are best qualified for such an attempt to try to find an answer to the question and the larger question concerning the general depression from which India is suffering. While I am not sure of the precise answer, I am sure of the direction in which it can be found. Our fiscal policy does not suit our requirements and it is in this direction that the causes of our depression have to be traced.

India is a debtor country, with huge foreign liabilities and one of her urgent and permanent needs is the maintenance of a large excess of exports over imports for discharging her annual obligations under this head if for no other purpose. That being so our fiscal policy should be one shaped in accordance with our peculiar needs and having for its key-stone the principles that Indian trade and industry and agriculture should be so fostered as to ensure a self-contained India in many directions and make it possible for us after meeting our own requirements to maintain a larger surplus of exports than what we are doing at present.

My own feeling and the feeling of a very large section of the Indian mercantile community is that our present fiscal policy does not answer that description, and it is therefore that the country is faring so ill. Our industries are anaemic because of want of proper nourishment and that nourishment cannot come so long as the people's purchasing power remains at the present low level. A higher standard of life is certainly a great desideratum, and with the desire or ambition to attain it, we cannot but have the fullest sympathy; but how to realize it in view of our liability

to maintain a large and a regular favourable balance of trade is a riddle yet to be solved. It could be solved, but not under the present fiscal policy of the Government.

I referred a little above to our huge foreign liabilities. I intend developing the point at some length in the hope that it will stimulate that interest in the subject which it so richly deserves. As it does not lend itself to a statistical treatment our blue-books take no notice of it. The ordinary publicist is aware of the existence of such liabilities, but about its implications not many seem to be much concerned. The time has come when those interested in the economic well-being of the country should look a little more closely into the matter and try to find out its bearings on our economic condition, both present and future.

I would make one thing clear at the outset. I have nothing to say for or against foreign liabilities as such. Any transaction, individual or national, must be judged on its own merits. To find out whether it has been useful or otherwise one has to look to the circumstances of the case and weigh the good against the evil. I would apply the same test to our foreign liabilities.

To my mind, we can be said to have made a good bargain only if we have borrowed the money on our own terms and applied it for increasing the general productivity of the country. The transaction could be called a success from our standpoint, only if it established us after a time in a position not only to pay off the amount borrowed but also to build up a reserve which after meeting our own capital requirements may be utilised for making investments abroad. Judged by this criterion, how do our liabilities stand?

The first thing to be ascertained is their extent. The Associated Chambers of Commerce in their evidence before the Simon Commission have assumed 1,000 million sterling as the total of British investments in India. This gives us a figure which we may take as the basis of argument. It presumably includes the amount invested in Government loans. A good portion of it is no doubt the ordinary business investment, and it may be contended that it does not carry with it any liability to repay it so far as the country is concerned, because if the business is a success the investor gets his return and if it is a failure, he loses his money—still, the effect thereof on the economics of India is the same as, or similar to, that of the other foreign liabilities of the country. An equally good portion is invested in private loans, debenture, preference shares, etc., carrying a fixed interest; and for the payment of the debt represented by such investment, the country is directly responsible or, to make it clearer, the payment has to be made out of the national wealth. Calculated at 6 per cent the annual rate of interest or return on the amount mentioned by the Associated Chambers comes to about 60 million sterling or about 80 crores of rupees.

There are other foreign liabilities, popularly known as Home Charges, to meet which there is an annual remittance to the Secretary of State of about 40 crores. Deducting from this about 17 crores which represents interest paid on account of Government borrowings, for as presumably Government borrowings are already included in the figure of the Associated Chambers of the Commerce, we cannot count the same liability twice, a balance of about 23 crores remains.

There are yet other payments against services such as transport, insurance, professional work, etc., which increase our liability to a much larger figure. But I have deliberately omitted them because to acquire or not to acquire other people's services is a matter which could be said to rest entirely at our discretion. I have taken only those liabilities which we have definitely incurred and for the redemption of which we must make annual remittances. And if we take only the above mentioned two items, viz., 80 plus 23 crores, we have an annual liability for remittances abroad of about one hundred crores.

I would invite the serious attention of all well-wishers of the country to the magnitude of the figure and the pace at which it is multiplying. In 1900-01 Government's total foreign borrowing amounted to about 200 crores. In 1929 it stood at 470 crores. In 1900 our Home Charges, excluding railway charges and interest, amounted to 10 crores; they are now about 19 crores and taken at the old rate of exchange about 22 crores. An estimate of total British investments in India up to and including 1920 put it at about 365 million sterling. The figure, as taken by the Associated Chambers, is now about 1,000 million sterling. I am no alarmist, but the issues involved are so



momentous that I cannot help asking the country to take note of these figures and ponder over their significance.

#### HOW FOREIGN CAPITAL CAME TO BE IMPORTED

A question to be considered in this connection is the way in which all this foreign capital came to be imported. The Associated Chambers in their representation throw no light on it. A layman who looks into our trade returns for the last 50 years does not come across any figures indicating a flow of capital from England or other foreign countries into India. He finds that India has maintained an excess of exports over imports all throughout, with the exception of a few years, and he naturally fails to understand how in the absence of any excess of imports over exports the foreign investor came to be in possession of such a mammoth sum as 1,000 million sterling in India. The only inference he can draw is that the capital was not imported from outside but was earned and re-invested in the country itself from time to time.

In any case, the liability is there and it is daily growing. Every year the visible favorable balance of trade, which it is true, shows a steady increase, is eaten up by the visible imports represented by our obligations in this behalf. On an average the annual excess of exports over imports (private) during the period 1899-1900—1903-04 was about 30 crores, which sufficed for the necessary remittance. During the period 1923-24—1927-28, the corresponding balance has been about 67 crores, and yet we have had to experience difficulty in managing remittances for what is called the "Home Charges". Even with such a large visible balance of trade in our favour, Government has had to decimate our currency reserves and contract currency in order to put funds at the disposal of the Secretary of State because of serious competition from private remitters who seem to have only lately taken to the practice of remitting abroad a good portions of their earnings which, in the past, they used to re-invest. Unless India has an unusually large balance of trade in her favour, the Government are likely to find the problem of Home remittances very perplexing indeed in the near future.

But the country must think of her own obligations and the way she is going to meet them. She has not felt the pinch so far, mainly because, as I said, the yield on British capital has found re-investment in India itself. India's case has been more or less analogous to that of an individual who cannot pay even the interest on the money he has borrowed and has to borrow still further to enable him to do so. Liability can thus be postponed but cannot be extinguished. One day the account must be settled and the consequence of a policy of living on such borrowings faced.

Let us clearly understand what this means. It is a question of simple Arithmetic how the paltry sum of a rupee invested at 12 per cent compound interest becomes a lakh at the end of 100 years. At 6 per cent compound interest, the principal is doubled in 12 years. Taking the total foreign investments to be about 1,000 million sterling and assuming that India may not be able to remit the annual return on the sum, it should be doubled by 1942 and quadrupled by 1954. It may not be pleasant to contemplate, but the indications at present are that we shall be stepping into the other half of this century with a crushing burden on our back of a huge liability and with it an annual commitment, to discharge which India must maintain an excess of exports over imports to an extent beyond our present means. The consequence of failure to maintain such large exports could be more easily imagined than described.

It may be said that a large portion of our borrowings has after all been invested in productive projects and therefore the prospect cannot be so gloomy. But is any appreciable benefit—which should be the logical consequence of such a situation—at all perceptible so far? The argument advanced is that the country gets more from her productive investments than she has to pay for her borrowings. Such a situation must, as a matter of course, in respect of Government investments lighten the taxpayer's burden, and in respect of private investments increase the real national income. But has that happened? It has not; because in the first place every so-called productive investment is not adding to the real national income and secondly, whatever little benefit is derived from it is eaten up by the extravagant administrative expenditure. We are, therefore, in no way better off.

It is no consolation to hear that but for these productive investments, Government expenditure and consequently taxation would have further increased. Who could say that the so-called productive investments themselves have not been among the contributory causes of a top-heavy administration? The matter, however, requires a much more detailed examination than I can attempt within the short time at my disposal. Whatever our corresponding investments in India, whether productive or unproductive, the fact remains that we are not in a position at present to meet our liabilities.

#### THE EXAMPLE OF OTHER COUNTRIES

Instances could be cited of other countries which after a period of borrowing have either stopped borrowing entirely and begun to invest abroad or have reduced the volume of yearly borrowing and are gradually moving towards a stage like that of America which from being a debtor country has been able to convert herself into a creditor country. At the end of 1913, America, according to reliable estimate, owed abroad \$ 4,500,000,000 (net). A decade latter, she was a net creditor nation for \$ 3,500,000,000 apart from the \$ 11,800,000,000 due from the Allies to the U. S. Government. There has been a similar transformation in the case of Japan.

But what is our position? It is this. We are not in a position to-day to pay off our debts or even to discharge our annual liability. To talk of finding a surplus for investments abroad under the circumstances will be simply an absurdity. We have been having recourse to the foreign market for more than 70 years, and yet so little is our strength or stamina to-day that we cannot think of being able to stand without that crutch or do without fresh borrowing every year.

There are men who would have us believe that things are far otherwise and that Indian prosperity has been growing at a phenomenal pace. It has become the fashion in such quarters to pour ridicule on those who maintain a different proposition. I would rather risk such ridicule and be dubbed a Jeremiah than shut my eyes to the facts that stare me in the face.

If there are men who have exaggerated notions about the surplus that is being annually created and rendered available for investment in the country I would only refer them to the daily experience of Indian trade and industry in this respect. The surplus could only come out of the savings of the people, and the grim reality is that they have not enough even for their daily needs. The realities of Indian life are that the masses are steeped in deep poverty, that they are finding taxation an unbearable burden, that their purchasing power shows no increase and that it is impossible to raise the standard of life, even by a little, under the existing order of things.

Figures are marshalled at times to indicate India's growing prosperity when in reality they have no relevancy whatsoever. Exports or imports in which the masses are not interested as producers or consumers are no barometer of their prosperity. India's poverty is too hard a reality for all and no statistics can succeed in putting permanent gloss on it or explaining it away. In the words of the Rt. Hon. Mr. Ramsay MacDonald "the poverty of India is not an opinion, it is a fact."

What then is the solution?

#### NEED FOR INCREASING COUNTRY'S PRODUCTIVITY

I am sure that all the schemes that may be devised in this connection must centre round one thing, and that is the increase of India's productivity. There is no room for economy or retrenchment so far as our standard of life is concerned. A large retrenchment could, and I submit, should be made in Government expenditure. This applies specially to the army department. In fairness to this country, a good portion of its military expenditure ought to be paid by Great Britain, as the army is partly maintained for imperial purposes. To quote the present British Premier again, "nine-tenths of the charge of the Army in India is an imperial charge. Canada, South Africa and Australia should bear it as much as India." But above everything else there is the urgent need of a substantial increase in India's production and if we are not to head towards disaster, we must adapt our means to that end.

India is mainly an agricultural and partly an industrial country, and if we are to strive towards attaining a solvent position we must increase our production in both the directions. The improvement of Indian agriculture has been the subject of an extensive enquiry in recent times, and we are aware of the deep interest taken in the subject by

Your Excellency The Report of the Royal Agricultural Commission points to several important directions in which reforms are needed, though there is general disappointment at the failure of the Commission to suggest any radical cure of India's agricultural ailment. Their failure however is to be ascribed chiefly to the handicap imposed on them by their terms of reference which were characterised by over-cautiousness bordering on timidity. In any case, the fact is deplorable, and I share the disappointment that the achievement of the occasion was so poor as compared with its promise. I would not attempt any enumeration of the measures that are urgently required for putting Indian agriculture on a sound basis, for we all have a fairly good idea of them. What is required most of all is a comprehensive grasp of the problem and boldness in taking the initiative and carrying the needed measures through. The solution of the problem presented by Indian agriculture is a task of the highest statesmanship and we all expect Government to tackle it in that spirit.

#### FISCAL POLICY

Turning to the industrial side, one is struck by the want of correlation between our pressing needs and the fiscal dispensation under which we live. I had the privilege of serving on the Fiscal Commission which was appointed "to examine with reference to all the interests concerned the tariff policy of the Government of India." Five of us including the President wrote a minute of dissent differing in their conclusions from the majority consisting of six, mainly because the main recommendation of the latter had been qualified by the condition that Protection should be applied with "discrimination along the lines of the Report." But even that halting recommendation is yet to become the guiding principle of the Commerce Department. In fact, if I may say so, the policy pursued during the last few years has been more in the nature of "discriminating Free Trade" than of "discriminating Protection."

Arguments which are utterly irrelevant are often employed to oppose the demand for full protection. One of them is the well-known plea that it is opposed to the consumers' interest. I cannot speak of the conditions in other countries, but in India at least the producer and the consumer are not such separate entities living in water-tight compartments. Every cultivator here is both producer and consumer. Even to-day one-third of the cloth supply is the product of hand-looms and the producer and the consumer are practically the same. To give another instance a large part of the *gur* and sugar annually consumed in India is made in her cottages. Speaking of the vast mass of its population, one could really say that in India the functions of producer and consumer are, more often than not, combined in the same individual.

Indians recognised long ago the urgent necessity of giving protection to their industries, and in the absence of any popular control over the fiscal policy, they had to content themselves with propaganda in favour of Swadeshi and for the boycott of foreign goods. It may be easy to misrepresent the motive of the capitalist when he advocates Protection and to depict him as the arch-enemy of the consumer. But what about the Indian National Congress which is certainly not a capitalist organization? That body at least can be expected to know what is in the consumer's interest and oppose all such demands as go against it. What does the popular propaganda for a boycott of foreign goods mean if not protection of the indigenous industry? India derived her first lessons in economics from British savants who were almost all free-traders and yet she could never bring herself to believe that she could do without protection. Her fiscal faith is the result of the most mature deliberation on the subject and if she had her way, she would not stop short of giving that faith a concrete shape and form.

It may be permissible here to make a passing reference to the policy pursued by a country like America. So far as general prosperity is concerned, its condition is so different from ours. We are a debtor country and not at all solvent. America is a creditor country which has secured a very large part of the world's gold in recent years. But with all that she does not countenance any proposal of lowering her tariff wall. The world can only pay in kind, and America by keeping her tariff so high, is compelling it to sell its goods in the American market cheaper than it would otherwise have done. The world may fret and fume but America is not to be deflected from her course. The moral for India is plain. If full-

fledged protection is necessary for a creditor country like America, it is all the more so for a country like ours which is so heavily indebted and is almost floundering in the bog.

Unqualified protection is India's primary need in her peculiar situation to-day. But I use the word in the most comprehensive sense. Tariffs or bounties are only a part of the policy which I advocate. I plead for protection by every practical means to agriculture, industry, banking, insurance, marine transport—in fact to every branch of our economic activity. I wish every action of the Government to breathe a national policy, which might be summed up as 'India first and India last.'

#### POSITION SUMMARISED

I have tried to describe the situation as it is. The picture presented here is certainly not bright, but it is faithful to the reality. To put the whole thing in a nutshell, let me summarise our position, which is—

- (1) that we are a debtor country with large foreign liabilities,
- (2) that our present resources are not adequate for a due discharge of our obligations,
- (3) that due to our failure to fully discharge our annual obligations, our liability is increasing at a frightful pace,
- (4) that unless we are to court disaster the situation demands the maintenance of a large surplus of net exports to enable us to discharge our annual obligations and pay off, if possible, a portion of our debt;
- (5) that the maintenance of such a surplus is only possible by giving impetus to our productivity.
- (6) that our present fiscal policy can never give the needed impetus to our productivity as it is not designed to that end.

The first thing to be done, if we are at all anxious to avoid all rocks and shoals ahead, is to give a new turn to our fiscal policy. I have placed before you a few suggestions and probably many more could be made. But the change which I advocate as the first essential of all progress is a change in our fiscal policy. We are all agreed that the fiscal policy which we have been pursuing so far is not in our best interests, but I go further and say that it is not calculated to promote even the interests of those who have made such large investments in the country.

Unfortunately that fact is not as well realised by them as it ought to be. Our friends of the British commercial community have so far been generally on the wrong side in matters affecting the country's prosperity. Their record from the time of the imposition of the Cotton Excise Duty to that of the deliberate appreciation of the exchange-rate would attest the truth of this remark. Whenever they have had to make a choice, they have taken a narrow view of the matter, and have given their support to measures which were detrimental to the best interests of the country. In view of their past attitude I am constrained to address a few words to them in a friendly spirit and I hope they will not misunderstand me.

Men cannot gather figs of thistles, nor can creditors realise their dues from insolvents. A prosperous India alone can redeem her debt, and the policy to be followed in future should be one which makes for her prosperity at every turn. They owe it as much to themselves as to this country, to strive in co-operation with Indians for a new order of things. The legacy of the past, if allowed to become the model for the future, will never pay them. It will mean the forcing of a situation upon India, in which, with the best intention in the world, she cannot meet her obligations in full.

#### UNEMPLOYMENT

The present discontent in the country is almost wholly due to the miserable plight in which the people find themselves. The middle class population has to put up the hardest struggle possible to keep body and soul together and are amongst the worst victims of unemployment. The condition of the masses needs no recapitulation. They do not seem to be suffering from unemployment to a similar extent because their standard of living is so low that nothing could possibly be lower.

But things cannot remain as they are. The placid contentment of the masses is already disturbed. Even the worm at a certain stage begins to turn, and the dissatis-

faction of the dumb millions, unless its causes are removed, is bound to make itself felt one day. Let all concerned, therefore, reflect calmly and seriously on the subject and adopt in time a far-sighted policy so that the disaster may be averted or at least minimised. A prosperous India means peace for the world : a famished India : a grave menace to it.

I would now request Your Excellency to declare the proceedings of this meeting open. That you should have found time to accept our invitation in the midst of the legislative session is but one more proof of your deep interest in everything conducive to India's welfare. On behalf of the Federation and myself. I thank Your Excellency very warmly again.

### Lord Irwin's Opening Speech

The following is the text of His Excellency the Viceroy's opening speech :—

Mr. President and gentlemen.—I would begin by thanking all the members of the Federation for the kind welcome they have given me and in particular your President, Mr. Birla, for the terms in which he has given expression to it. I need scarcely say that it is a great pleasure to find myself once more taking part in the annual meeting of the Federation of Indian Chambers of Commerce and Industry, and I know that the same pleasure is felt by the members of my Government, though the occasion has found them in the middle of a busy session in the Assembly, and it has therefore been difficult for them to devote as much of their time as they have wished to your proceedings.

I should like, gentlemen, to associate myself with what your President has said deploring the death of Mr. B. F. Madon and Mr. Narottam Morarjee. The industrial life of Bombay and of India and perhaps more particularly those enterprises with which they were intimately connected have suffered a loss which they will find it hard to fill.

At the beginning of Mr. Birla's interesting address to which we have just had the pleasure of listening, he referred in appreciative terms to the admission of Indian firms to commercial organisations in London, and I would warmly echo the satisfaction he expressed. Such a spirit of co-operation between British and Indian commercial interests is essential to the further developments of Indian commerce and industry, and I am glad that I should have been able to play some small part in this matter.

### TRADE OUTLOOK

Your President went on to speak of the unsatisfactory position of trade in general throughout the country. A year ago there seemed to be good ground for the hope that trade was definitely recovering from the depression it has felt since the Great War, for the figures both of imports and exports in 1928-29 as calculated on the basis of the pre-war prices were for the first time higher than the corresponding figures for 1913-14. Another interesting feature of the trade of the year 1928-29 was that it marked a return to what, for all practical purposes, may be described as pre-war conditions of the relative general level of prices of India's imports and exports. A discouraging sign of Indian post-war trade was that, relative to pre-war prices, the general level of prices for imported articles was considerably higher than that for exported articles. In other words, India was paying more for her imports than she was getting for her exports. The index numbers prepared in the Department of Commercial Intelligence and Statistics show that in 1920-21, the general level of prices for the imports stood at 237 and for exports at only 140, on the basis of 100 for both import and export prices in 1913-14. This represented a difference of 97 points, a difference which interfered considerably with the overseas trade of India. In 1924-25 the difference still stood at 26 points, but by 1928-29 it had fallen to only 6. Unfortunately, however, although the position up to the end of the year 1928-29 gave good ground for sober optimism the tide of progress has slackened. Forces world-wide in character have exercised depressing effect on trade in general and the outlook for Indian trade and commerce is at present less favourable than it was a year ago. I can only express the fervent hope that the set-back will prove to be temporary, and that your federation, at its

next meeting, will be able to record a return to improved conditions of trade and commerce.

#### IMPROVEMENT IN COAL TRADE

There is however one exception to the present somewhat unfavourable outlook. Recently the conditions in the coal trade have exhibited a marked improvement and at present the industry is more prosperous than it has been for some years past. The success attained by the Coal Grading Board has probably contributed to this welcome change. The Board was constituted at the beginning of 1926 on the recommendation of Sir Frank Noyce's committee, and since then the total shipments of coal from the Kidderpore docks for cargo and bunkers have risen steadily from 1½ million tons in 1924-25 to nearly 3¼ million tons in 1928-29. It is hoped that the organisation created by the Indian Soft Coke Cess Act which was passed during the last Simla session of the legislature will also be of value to the coal industry. The committee will be financed by a cess of 2 annas a ton on soft coke despatched by rail from the collieries in Bengal and Bihar and Orissa, and will be charged with the promotion of sale and of improving the methods of manufacture of soft coke.

#### TRADE COMMISSIONERS.

I welcome the interest taken by your Federation in the development of an overseas trade organisation as indicated in one of the resolutions on your agenda dealing with appointments of Trade Commissioners. It will interest you to know that a scheme has been prepared for the appointment of Indian Trade Commissioners at Hamburg, Milan, New York, Durban, Mombasa and Alexandria. As a corollary to the establishment of Trade Commissioners in Africa and the Near East it is also proposed to appoint a Deputy Director of Commercial Intelligence at Bombay, for it is expected that the work of these trade commissioners will centre chiefly round the expansion of India's export trade in cotton piece-goods, and if we are to reap the full benefit of their labour, it is essential that we should have a commercial Intelligence Officer at Bombay, who will be in direct contact both with the exporting houses and trade commissioners. I feel little doubt that this overseas trade organisation will be of material assistance in the development of India's export trade.

#### NEW "INDIA HOUSE"

In this connection it is gratifying to know that the New India House is now nearing completion, and will, I hope, be opened early in summer this year. The offices of the High Commissioner for India are as you know, at present situated in inadequate premises and in an inconvenient locality and the new site in Aldwych next to "Bush House" and not far from Australia House and within a reasonable distance of the City is a great improvement on the old arrangements. The new building provides, in addition to the usual office accommodation, a large show-room, with exhibition windows for the Trade Commissioner's Department and a bureau on the Aldwych Front for the railway department. It is our hope that the India House will be treated as a centre in London for visitors from India and with this object in view, it has been equipped with a good reference library and adequate facilities for reading and writing. A feature in which I was greatly interested when I visited the building in September last was the use that has been made of Indian timber. It has been possible to provide for a display of a full range of Indian decorative woods by using them for the panelling and flooring of the more important rooms and Indian timber has been used for all ordinary joinery work. I think that there is every hope that this will have a very considerable advertising value and will assist the efforts now being made to further the sale of Indian woods in European markets.

#### PROPOSED ACCOUNTANCY BOARD.

You may remember that on the last occasion on which I had the pleasure of addressing your federation, I referred to the formation of the Indian Accountancy Board, and I hope that, during the present session of the Assembly, legislation may be passed to give effect to the scheme. The ultimate aim of the Government is to build up in India an association or associations of accountants of the same standing and reputation as the principal institutes and societies of accountants in the United Kingdom and it is hoped that the constitution of an Accountancy Board will prepare the way for the establishment of an association or associations of this nature.

## CONTROL OF LIGHT-HOUSES

Another piece of legislation which must be of particular interest to commercial and shipping interests is the Indian Light House Act, which, with other legislation aimed at centralising the Mercantile Marine Administration, was brought into force from the 1st April 1929. All general lights round the coasts of India are now under the direct control of the Government of India assisted by a Light-House Advisory Committee consisting of representatives of Indian and British shipping and commercial interests. It has for sometime been recognised that lights along the West Coast of India are not up to modern requirements, and the first fruits of the centralization of the administration will be the improvement in the lighting of this coast including the provision of a light of the first order at Vengurla rocks, an important turning point for ships voyaging along the West Coast of India.

I would take the opportunity here of acknowledging the great assistance which the Government have received from the Advisory Committee both in the preliminary arrangements preceeding the introduction of the Act and in the administration of the Act since it came into force.

## LABOUR TROUBLES

On the important question of the relations between employers and Labour you have rightly felt, Mr President, that your position as a member of the Royal Commission on Labour precluded you from dwelling at any length. It is satisfactory to know that in the prosecution of their task the Royal Commission to whom we confidently look for guidance in helping towards the eradication of some of the causes of the present discontent would have the assistance of your experience and practical knowledge of Indian industrial conditions. If the Industry is to prosper, not only must Labour be happy and contented but the relations prevailing between the employers and the employed must be above suspicion. The workmen on their side, must recognise the difficulties of their employers and realise that the most effective way of raising their own standards of living is to bring greater efficiency to the performance of their tasks. It is essential, on the other hand, that the employers should understand and sympathise with all the healthy aspirations of their employees and should recognise as one of the first charges on the industry the payment not merely of a minimum wage but of a wage which would enable a workman to take pride in his work and lead a life which is something fuller than the mere completion of his daily task in the mill or workshop. In this way we may hope that the idea of opposition between the claims of the employers and their Labour will gradually be replaced by a sense of partnership and identity of interest which will ensure further development and greater prosperity of India's industry.

You have drawn a picture Mr. President, of the report of the Royal Commission on Agriculture which I think, is perhaps unduly pessimistic. The testimonies we have received from the Local Governments on the progress they have made in giving effect to the recommendations in that report show that it has furnished a most valuable stimulus to agricultural development in all directions. The main lesson which the report strove to impress upon India was that there is no short cut to the improvement of the agricultural condition in this country and that this can only be attained by patient and co-ordinated research into the main problems, by a steady development of agricultural propaganda and by demonstration in the villages of improvements of established value. It also urged that a sustained effort should be made to assist the cultivators to organise themselves for the betterment of their conditions of life. It was because the Commission realised the necessity for a comprehensive grasp of these questions that it recommended the establishment of an Imperial Council of Agricultural Research. That recommendation my Government immediately and whole-heartedly accepted. The Council has entered upon its duties with zeal, and it is a most hopeful augury for its future that it should be receiving as it is the warm co-operation of the Provincial Governments in matters where provincial experience and resources can be profitably pooled with those of the Government of India for the common good.

Another canvas you have painted in sombre colours to-day is that of the general financial situation in India. I do not propose to examine in detail the figures which Mr. Birla has put forward, but I would take this opportunity of correcting what I

believe to be certain misapprehensions on his part. None can deny that India has large foreign liabilities, but such foreign liabilities are no evidence of any weakness in the financial position of a country in the early stages of development. With the assistance of imported capital India has acquired assets in the shape of railways, irrigation work, factories and other enterprises of which the value is considerably in excess of her liabilities. I am convinced that if it were possible to draw up a balance sheet exhibiting the financial condition of India, it would show that as a result of the development which has taken place during the last hundred years there is an enormous surplus of assets, representing a gain to India which has occurred on account of the development made possible by the use of foreign capital.

I will mention only one fact to indicate that the real resources of India are not so inadequate as has been suggested by your President. Since 1900, the value of India's net imports of gold has been nearly £400 millions and of silver £350 millions, and India is still importing gold at the rate of about £15 millions per annum and silver at the rate of £7½ millions. It is surely unreasonable to suggest that a country which has an enormous stock of gold and silver and which is still drawing gold and silver in considerable quantities from the rest of the world, is in so weak a financial position as to be unable to meet its foreign liabilities.

In the President's view, our failure to discharge our annual obligations is having the effect of causing India's debt to increase at an undesirable rate. So far as I can learn this conclusion is not supported by statistical data and on all available evidence appears to be contrary to actual facts. There is, I believe, no evidence that a large amount of capital is at present being brought into India by private agencies. In fact the indications are that a certain amount of private capital is being exported. The external borrowings of the Government were examined in detail by Sir George Schuster in his last budget speech in which he stated that during the six years ending the 31st March 1929, the Government capital expenditure abroad amounted to £60 millions, whereas the amount of foreign money which had to be raised to finance this expenditure, amounted to £17 million. In other words, the surplus resources available for meeting India's foreign liabilities amounted to £43 millions and it was possible to invest this surplus in further enterprises which will increase the productivity of India. I would maintain therefore that the financial position of India is sound and that there are no substantial grounds for the President's anxiety.

I would go further and appeal to those who hold responsible public positions in India to endeavour to allay rather than to use language which may have the effect of encouraging feelings of disquiet at a time when she especially needs the confidence of the rest of the world. It is right that Indians should strive to make their country, as it can be made, economically strong and independent, but I believe that the leaders of economic opinion in India can best do this and can best encourage productive enterprise, not by exaggerating the difficulties, but by witnessing to solid grounds which exist for reasonable optimism.

It remains only to declare your proceedings open. In doing so, I thank you once more having given me this opportunity of inaugurating your deliberations and of assuring you again of the interest and concern with which I shall continue to watch the development of India's trade and commerce.

### Discussion on Resolutions

After the departure of the Viceroy, the business session of the Federation commenced, when eight resolutions were passed, six of which were moved from the chair and adopted without discussion.

#### REPRESENTATION AT GENEVA LABOUR CONFERENCE

The only resolution which invoked a debate related to India's representation in the International Labour Conference. It ran :—

"The Federation notes with regret that the Government of India has appointed a non-national as advisor to the Indian Employers' delegates to the 13th session of the International Labour Conference held at Geneva, and lodges its emphatic protest against the said appointment, and trusts that in future Indian nationals will be chosen to represent Indian employers at such conferences.



"The Federation also notes with regret the statement made on behalf of the Government of India at the same International Labour Conference, that negotiations with Indian and non-Indian commercial bodies were conducted to arrive at an amicable settlement on the question of the constitution of the Indian Employer's delegation to the International Labour Conference as, according to the Treaty of Versailles, no nationals are not entitled to represent it in such conferences"

The resolution was moved by Mr Jadunath Roy who said, whatever the constitution of India would be, they stood on the same level with other self-governing Dominions at Geneva.

#### MR. HAJI'S AMENDMENT

Mr S N Haji moved an amendment to the resolution which sought to express the opinion that the Credentials Committee at Geneva was mainly influenced in their decision of Mr. Brown's case by the information supplied by the Government delegate, and urged that a suitable modification of this decision be made when the correct information came into the possession of the Credentials Committee

Mr Haji said that the time for mere protests had gone and they should now take suitable steps to inform the International Labour Office, how the Government in India and the Secretary of State were misusing the powers given to them by the Treaty of Versailles in the country.

Mr. B. Das, seconding the amendment, said that if the Government wished foreigners to represent India they must first naturalise those foreigners

Mr. Hussainbhai Lalji, who seconded the original resolution, felt that their fight should be with the Government of India and not with the Labour Office at Geneva. He also repudiated the suggestion made at Geneva that Indian commercial bodies were consulted for an amicable settlement of the question of the employers' representation. Concluding, he said that the federation was not in possession of the full facts to say that the Credentials Committee was influenced by the Government delegate in deciding the case of Mr. Brown.

Sir B. N. Mitra, speaking on behalf of the Government, said that the issue raised the question whether the Treaty of Versailles laid down a stipulation regarding representation of the country by a national. He said that it was held by the Credentials Committee that the right to determine who was a national rested in the sovereign power of a Government.

Mr. Haji : Is the Government of India a sovereign power ?

Sir B. N. Mitra : I am sorry sir, the Government to which I have the honour to belong is called foreign by Mr. Haji.

Sir B. N. Mitra said that if that was the general view he had no place in the meeting. He could not say what the future Government of India would be, but as long as the present Government remained, and it was a properly constituted Government, it gave equality of rights to Indians and Europeans as British subjects. Mr. Brown had equal rights with Indians in India and he was entitled to stand for the Legislative Assembly and as such he could justly represent the employers at Geneva. The whole resolution hinged on the interpretation of the word "national" which, he felt, was misinterpreted by the Federation. The resolution also urged the Government of India to indicate to the Credentials Committee which, he said, the Government could not do. Regarding consultation with Indian commercial bodies for an amicable settlement of the question, Sir B. N. Mitra said that it was sufficient if the President of a body was consulted. The Government could not consult each and every individual member.

Sir Purushottamdas Thakurdas thoroughly disagreed with Sir B. N. Mitra on the interpretation of the word "national." He said that they had a strong case and he was sure very soon the Government would look at the question from their point of view. Proceeding, Sir Purushottamdas said the Credentials Committee was only a judicial body. He was sure it gave a verdict in the case of Mr. Brown with absolute impartiality. Sir Purushottamdas therefore disapproved of the amendment. He said their purpose would be served if they could tell Geneva and they disapproved of the action of the Government of India. That could be done by a resolution.

Thereupon, Mr. Haji withdrew his amendment and the original resolution was passed.

## PLEA FOR JUTE GRADING BOARD

Mr. H. P. Bagaria of the East Indian Jute Association moved a resolution requesting the Government to take early steps for the establishment of a Jute Grading Board on the line of the Philippine Grading Board for hemp. He said the jute contracts had no specification clause and the sellers therefore were at the mercy of the buyers who had a powerful combine. The result was that the jute trade was slipping out of Indian trade, and Indian producers were suffering heavy losses.

Sir Frank Noyce explained that the Government had already decided to establish a Central Jute Committee on the lines of the Central Cotton Committee which, he felt sure, would consider the question of jute grading.

The House accepted the resolution.

## TRIBUTE TO DEPARTED MEMBERS

Six other resolutions were adopted. the first two mourned the loss sustained by the deaths of Mr. B. F. Madon and Mr. Narottam Moraji.

## STORES PURCHASE

The third resolution deplored the halting and ineffective attitude of the Government with regard to the full and final adoption of the rupee tender system and urged that the Indian Stores Department, London be made a branch of the Indian Stores Department and be controlled from India, and all purchases of imported materials be made through the Indian Stores Department.

## DEVELOPMENT OF INDIAN WATER-WAYS.

The fourth resolution urged the Government to institute a thorough and comprehensive enquiry into the question of the development of inland water-ways with a view to the formulation of a national policy for encouraging inland water transport. It further urged that in view of the difficulties experienced by purely Indian companies in the matter of internal river traffic some measure like the licensing system recommended by the Indian Mercantile Committee for the reservation of the coastal trade in India for Indian vessels with a view to developing indigenous shipping by the gradual elimination of Non-Indian vessels be adopted to safeguard the interests of the inland water service in the provinces of India.

## COMPOSITION OF PORT TRUSTS

The fifth resolution urged the Government to amend the constitution and rules regulating port trust boards in Indian ports whereby the chairman should be a non-official Indian and 75 per cent of the members of the boards should be Indians selected by commercial and other important bodies.

## MERCHANT SHIPPING CONFERENCE

By the sixth resolution the Federation lodged a protest against the method adopted by the Government of India in connection with its nomination of delegates to the Imperial Merchant shipping Legislation Conference held last October in spite of the definite recommendation of the federation that the Government of India should nominate thereto a non-official Indian who could command the confidence of the commercial community. The federation resolved that any decision arrived at by this conference would not be binding on India and trusted that the Government of India were not thus committed to nullifying the policy endorsed by the Indian public and Legislative Assembly with a view to developing Indian mercantile marine.

## SECOND DAY—15th. FEBRUARY 1930

## 18 PENCE RATIO

The financial condition of India was reviewed on this day from the Government and Indian commercial points of view at the meeting of the Federation on a motion of Sir Purushottamdas Thakurdas to which Sir George Schuster replied. The resolution moved by Sir Purushottamdas Thakurdas read :

"The Federation wishes to draw attention to the alarmingly serious economic situation of the country, particularly in the sphere of agriculture, trade and industry. The Federation is convinced that the present unprecedented depression is very largely due to the persistence of the Government in maintaining the value of the rupee at 18 pence.

"Such an action on the part of the Government is responsible for the policy of continuous deflation which has caused not only unnatural tightness in the money market and reduced the holding power of the people, but has also brought about a distinct loss of confidence in Government credit.

"The Federation is alarmed and feels that such a policy, if continued, may cause a complete dissipation of the slender gold resources at present held in the paper currency and gold standard reserves on the one hand and the swelling of India's foreign liabilities on the other and may lead eventually to the inconvertibility of paper currency.

"The Federation, therefore, earnestly warns the Government against the grave danger with which the policy is fraught and suggests that to save the country from the dire consequences of such a policy, it is imperative that the situation be reviewed without delay.

"The Federation reiterates its view that the only way of restoring the confidence of the people in the currency and the credit of the country lies in the establishment of a real gold standard with a free gold mint and a good currency and suggests a rigid adherence to this policy which may be calculated not only to conserve our present gold resources, but also to strengthen them."

Sir Purshotamdas Thakurdas, speaking on the resolution, pointed out that he had no desire to rub in his views expressed as a member of the Currency Commission, but he affirmed that the fears he expressed when the Ratio Bill was passed, namely "May this ratio bring to the country as few calamities as Nature would allow" had come true.

An important consideration in fixing the ratio should have been what was best in the interest of producers on whose efforts the Government relied for the balance of trade. Let the Finance Member, he said, examine for himself whether the financial situation of the country had not become worse since his last budget.

The result was that in the field of textiles alone Japan had made serious inroads both in the markets of India and of Lancashire. As for India the policy had been short-sighted. The purchasing power of the masses had gone down. This was the verdict of any one who studied the conditions of people, whether in Bombay, Madras, Calcutta, Karachi or in the interior of the districts. This was his conviction as the result of his recent tours in many districts.

It had been argued by the Viceroy yesterday that India was absorbing gold and silver in large quantities, and from this it was deduced that India was prosperous. This was a child-like argument to put forward. For gold and silver used by the masses by the women of India as a token of their married life—and some people did have small hoardings of silver and gold in some form or other—but there was no denying the fact that the depression in commerce gave the gravest food for thought. Since October the Government had been the largest borrower in the London market at 6½ per cent for six months in the year and every week money was being drained out from the markets of the world towards the Government treasury. If the Government of India itself borrowed at 6½ per cent, what could the shroffs and bankers in India do? The only inference was that the Government borrowed in order to tighten the money market for maintaining the ratio.

The Government's borrowing policy had, at any rate, been ruinous to the Indian commercial world. It had been said that the Government have borrowed at this rate, because of the Lahore Congress resolutions. Could it be ever possible that the debts incurred with the authority of the Secretary of State-in-Council for the most genuine purposes be repudiated by India?

It was the duty of the Government of India to place the real facts before the British public and at the same time to see that their hands were clean in all these borrowing transactions. But suspicion would prevail so long as the Government borrowed at such high rates as they had been doing.

He looked upon the serious depreciation in the value of silver as most grave. It was true that he and Pandit Malaviya had been discussing the position with Sir George Schuster and they hoped that the Finance Member would explain the position before presenting the budget.

The masses of India were suffering an undeserved loss and if the present policy was persisted in, then the slender resources of the Government might disappear. The speaker realised that the resolution was a grave one, but the Indian commercial community would be failing in its duty to itself and by the Government if it did not warn the Government against pursuing the present ruinous policy. Let there be a review of the entire financial position by a Commission, or a committee, for the situation was certainly gloomy. What was wanted on the side of the Government at this juncture was not lip sympathy, but action.

During the discussion it was found necessary to refer to the question of sales of silver. Mr. C. B. Mehta of the Bombay Bullion Exchange moved :

"The Federation views with alarm the serious depreciation in the value of silver caused by Government sales which has seriously affected the value of the savings of the masses of India and the Federation considers it imperative that the Government of India should stop further sales of silver."

Moving the resolution Mr. Mehta said that he failed to see why London should be chosen as the market, whereas Bombay was the largest silver market for the world. The honesty, integrity and financial standing of the Bombay brokers were comparable to those of the London brokers.

The present depreciation in the price of silver was due to Government selling huge amounts and not to world causes as alleged by the Finance Member in the Assembly. This decline in price had commenced with the publication of the Currency Commission's report and quite recently it had been appreciable. The Paper Currency Reserve and the Gold Standard Reserve were separate. The suggestion that the remedy lay in an increased import duty on silver was worse than the disease itself.

Sir George Schuster Finance Member, speaking on both the resolutions said the picture drawn by regarding India's indebtedness was a misleading one. He gave figures of wheat and rice imports and said that in order to gauge India's economic progress, they should take a broader view and trace the results over a generation, instead of merely a few years.

Similarly, the Finance Member dealt with the foreign liabilities of India and said that comparison between estimates framed in different ways must be completely worthless. Professor Findlay Shirras had informed the Finance Member that he placed the figure of British capital invested in India at somewhere in the neighbourhood of £500 million instead of £1,000 million quoted by Mr. G. D. Birla. The annual liability for remittance abroad came to well under 50 crores of rupees. That was less than half the figure of 108 crores stated by the chairman.

Taking a long view the Finance Member had not the slightest hesitation in saying that India could well support the burden of her foreign charges. From the figures contained in the report of the Controller of Currency it would be seen that the visible balance of accounts for five years ended with 1913-14 was on an average 42 lakhs of rupees as against India whereas in 1928-29 it was 10.79 lakhs of rupees in favour of India. The obvious conclusion was that India's foreign liability, far from increasing, was decreasing on account of the export of capital. It was, therefore, preposterous to suggest that by 1952 the foreign investments in India might amount to £4,000 millions.

Moreover, capital for internal development had been increasingly coming from Indian sources. Practically the whole of the increase of 740 crores of rupees in debt since 1900 had been in productive assets of which 470 had been provided from Indian capital. If the savings of the people could be directed into productive enterprises not only could India secure a full measure of progress in economic development without having recourse in future to external capital, but the existing external capital could in the course of a generation, be repaid.

Referring to the question of ratio the Finance Member reiterated the statement he made in December last in Bombay. He said : "I stated in Bombay quite definitely that the Government were not prepared to appoint a committee and that there could be no question of any re-consideration of the ratio. Despite this, there appears to be still a doubt in some quarters as to the intentions of the Government. I repeat with all the emphasis I can command that the Government have not considered and do not intend to consider any departure from the basis fixed by Statute in 1927 for the valuation of the rupee. They will, on the contrary, use all the resources at their disposal to maintain the ratio at 18 pence and they have no doubt that these resources are ample enough to do so."

"I feel I should be failing in my duty if I did not make the Government's intention clear on this point. Subject to this I am at all times ready to consider the means by which the economic position can be studied and to arrange for co-operation between the Government and such unofficial bodies as your own."

Proceeding, Sir George admitted there was a general depression in trade, but attributed it to world causes and not to the fixation of the exchange at 18 pence.

A comparison for the four years 1921-22 to 1924-25 with the four years 1925-26 to 1928-29 showed that the average value of exports of Indian merchandise in the latter period exceeded the average value for the former period by about 15 crores of rupees, while the average value of imports in the former period exceeded the average value of imports in the latter period by four crores.

The Finance Member further quoted figures and said that these demonstrated conclusively that it was the result of seasons combined with world prices that have been the main factors affecting Indian wheat growers and not the rates of exchange.

Quoting internal trade figures relating to the traffic earnings of the railways, Sir George maintained that they did not indicate that internal trade was being crippled by the 18 pence ratio. It was true that some of the industries had been passing through difficult times since 1925, and that in certain cases the failure to adjust costs of production, and in particular, to wages to the new conditions, had been one of the several causes contributing to difficulties, but other industries had been prosperous.

The great fallacy made by those who pressed for a lower exchange was that once a lower level was attained and stabilised, prices from all sides adjusted themselves to that new level, and it was not a low exchange, but a falling exchange that could give a temporary and a most unhealthy stimulus to industry.

The main causes for the present depression were world causes such as the collapse of the American boom which had resulted in a general lack of confidence, the slowing down of trade and industry, the decreased demand for raw materials, and a sharp drop in the prices of all commodities. The effect of this would have been the same whether the ratio was 18 pence or 16 pence.

Nor could he bring himself to believe that the Government's policy in maintaining the rates for money had actually contributed to depression in industry.

Industry was depressed as a result of much more fundamental causes, because prices were falling all over the world and because the local conditions had been unfavourable. In the present political uncertainty Government's paramount duty was to maintain confidence in the economic stability and the financial integrity of the country. Hence no question of re-opening the ratio.

The Government's gold reserves were not slender as Mr Birla had said. Their holdings in gold and gold securities amounted to 88.37 crores, or just under 50 per cent of the outstanding note issue. He could, therefore, face the future not only with confidence but with cheerfulness.

Sir Purshotamdas Thakurdas, replying, said they appreciated the point of view urged by Sir George Schuster. They only wanted that India should be saved from the privations which followed a similar situation which Sir George had admitted arose in India in 1907. As regards foreign debt, the figure was placed at £1000 million sterling by an important body like the Associated Chambers of Commerce before an important Commission like the Simon Commission. If Sir George found the figures exaggerated, the speaker hoped the Finance Member would bring that to the notice of the Commission.

Sir George interrupting said that he took objection to Mr. Birla comparing £1000 million debt with the figures in 1910 and 1925 which were based on an entirely different calculation.

Sir Purshotamdas maintained his position regarding the exchange ratio and said that Sir Basil Blackett's case was based on absence of figures. It was for the Government to produce figures to prove their case.

He sympathised with the unhappy legacy the present Finance Member had inherited, but emphasised that if Sir George Schuster considered the 16 pence ratio a will-o'-the-wisp, the speaker felt it equally incumbent on him to call attention to what might turn out to be the mirage of 18 pence ratio.

Sir Purshotamdas's resolution was carried unanimously.

### Other Resolutions

The Federation also resolved urging the Government to give an immediate and effective measure of protection to the textile industry and arrest the grave and irreparable injury to a national industry. Amongst the other resolutions passed was one demanding the enactment of the Coastal Reservation Bill, another urging the abolition of the deferred rebates system and a third demanding that foreign companies, including banks should be compelled to publish balance sheets of their business transacted in India for the information of the Indian public

### The Federation's Memorandum to Viceroy

The Committee of the Federation of Indian Chambers of Commerce and Industry, which met in Bombay addressed a memorandum to His Excellency the Viceroy, on the 14th, May 1930 in connection with the present political situation in the country.

After recapitulating the recent events and the pronouncements, which led to the present situation, the Committee put in an earnest plea for initiating a policy of conciliation and urged that the only remedy would be for the British Government to make a definite statement regarding the attainment of Dominion Status and to invite Mahatma Gandhi to the Round Table Conference to prepare a constitution which would guarantee to India the independence enjoyed by Austria and Canada.

The memorandum was signed by Lala Shriram, the President of the Federation, Mr. Jamal Mahomed the Vice-President, Sir Purushottamdas Thakurdas, Mr. G. D. Birla, Sir Chunilal Mehta, Mr. Lalji Naranji, Mr. D. P. Khaitan, Mr. Ambalal Sarabhai, Mr. B. Das, Mr. R. L. Novany, Mr. N. R. Sarkar, Mr. Ranchordas Gandhi, Mr. Rameshwarprasad Bagala and Mr. K. K. Shanmukham Chetti as members of the Executive Committee and the presidents and vice-presidents of the following member bodies of the Federation: The South Indian Chamber of Commerce, Madras; the Indian Chamber of Commerce, Calcutta; the Bengal National Chamber of Commerce; the Burma Indian Chamber of Commerce, Rangoon; the Ahmedabad Millowners' Association; the Marwari Chamber of Commerce, Bombay; the Bullion Exchange, Bombay; the South Indian Hides and Skins Merchants' Association, Madras; the Jute Dealers' Association, Calcutta; the Native Stock Share Brokers' Association, Bombay; the Indian Mining Federation, Calcutta; the Mysore Chamber of Commerce, the Bombay Shroff Association, the Telikanta Brokers' Association, Calcutta; the Jute Balers' Association, Calcutta; the Indian Producers' Association, Calcutta; the Buyers' and Shippers' Chamber, Karachi; the Indian Merchants' Association, Karachi; and the Indian Tea Planters' Association, Jalpaiguri; the East India Jute Association, Calcutta; The Baroda Mill-owners' Association, Baroda and the Indian Insurance Companies' Association.

### THE MEMORANDUM

The following is the full text of the memorandum:—

Your Excellency,—On behalf of the Indian mercantile bodies we, the undersigned, beg to address Your Excellency on the present political situation which, to our mind, if not properly dealt with, may cause very serious consequences. We appreciate the deep interest which Your Excellency has taken from time to time to solve the political problem of this country, and we trust that even now Your Excellency is very keen to find out some happy solution. We are, therefore, sure that our representation will not at all be misunderstood but will be considered in the proper spirit and with the consideration which it deserves.

In order to put forward a correct picture of the events occurring from the time of the appointment of the Simon Commission up to the present time, it is necessary that we put the important events in a chronological order. We need not, however, make any comment on the appointment of the Simon Commission which, as Your Excellency is aware, was boycotted unanimously by all the Indian parties. We will, therefore, in putting the events in their chronological order, begin with the speech delivered by Mr. Ramsay MacDonald:

- (1) Mr. Macdonald's speech that "India will become a new Dominion within the next few months"
- (2) Your Excellency's announcement dated 1st. November 1929
- (3) Delhi Manifesto by the Indian leaders, dated 2nd November 1929
- (4) Mr. Bann's speech in Parliament and his second speech in which he said that Dominion Status was in action, dated 17th December 1929
- (5) Gandhiji's interview with Your Excellency at Delhi on the eve of the Lahore Congress and its breakdown, dated 23rd. December 1929
- (6) Earl Russell's speech, dated 6th January 1930
- (7) Your Excellency's speech in the Assembly, in which you mentioned that definition of an aim is not the same as its being reached, dated 25th January 1930.
- (8) Gandhiji's 11 points, dated 30th January 1930.
- (9) His final letter to Your Excellency before launching on civil disobedience, dated 2nd March 1930.

#### THE DELHI MANIFESTO

Looking at the events as they have been placed in the chronological order, one cannot fail to see distinctly the change in the situation as it went on developing. The speech of Mr. Macdonald, although not made by him in his official capacity, as he was not then the Prime Minister, did raise, as it was bound to do, a ray of hope in the minds of the people. Everybody expected the Labour Party to come into power sooner or later, and there was reasonable justification for an expectation that when the Labour Party did so they would treat the Indian problem sympathetically. Mr. Macdonald's speech was, therefore, of great significance to India. Naturally, therefore, with the advent of the Labour Party in the Government, people began to speculate whether the promise was going to be fulfilled. In the past, promises made most solemnly had more often been broken than fulfilled. It was, therefore, not unnatural if people hesitated to lay too much faith even on the Labour Government; but faith in Your Excellency, coupled with the Labour Government in England, helped to keep the hopes alive. It was in such a favourable atmosphere that Your Excellency's famous pronouncement was made. Although it was vague in many directions, and therefore suspicions naturally lurked in the minds of those who carried with them bitter experience of the past, yet with wonderful unanimity it was given a warm reception. Mahatma Gandhi and Pandit Jawaharlal Nehru representing the nationalist India on the one hand, and men like Mr. Sastri and Sir Tej Bahadur Sapru representing Moderate opinion on the other, put their signatures on what is now called the Delhi Manifesto. Though unanimity was achieved on the Delhi Manifesto the criticism that the pronouncement was vague could not be ignored. The statement, particularly about Dominion Status, had to be made clear. A clear definition of the function of the Round Table Conference had yet to be elicited. The crux of the situation lay in the fact that the Indian leaders thought that it was now too late to discuss the question as to when and how Dominion Status should be conferred on India. It was the unanimous view of all the political parties that an honourable settlement could only be arrived at on the basis of immediate establishment of Dominion Status. Certain views were, therefore, deliberately expressed in the Delhi Manifesto and it was hoped that if the British Cabinet wanted to solve the problem in reality they would meet the points raised in it.

#### THE COMMONS DEBATE

At about this time an important debate took place in the House of Commons. During the debate Mr. Lloyd George demanded a clear definition of certain vague statements. He pointedly drew the attention of the Secretary of State to the interpretations which had been put forward on the pronouncement by the Indian leaders, but Mr. Bann declined to add to or omit a word of the pronouncement made by Your Excellency. The debate, therefore, did not carry the matter an inch further. Yet Mr. Bann's spirit which pervaded the whole speech, did not fail to have its effect on India. But equally important it was that the suspicions raised should be allayed. India wanted an immediate establishment of Dominion Status, and the leaders welcomed your pronouncement on this assumption alone. Naturally the question arose whether the assumption was justified. And Gandhiji in order to clear up the issue asked for a definite assurance from Your Excellency and the British Cabinet that

India was called upon to participate in the Conference only on the basis of Dominion Status being granted immediately. There was nothing new in it. It was only logical consequence of the Delhi Manifesto wherein it was unanimously stated that "We understand, however, that the Conference is to meet not to discuss when Dominion Status is to be established but to frame a scheme of Dominion Constitution for India." In the interest of all concerned it was very important that no vagueness was left to cause any misunderstanding. In the interview which Gandhiji had with Your Excellency it was made very clear by you that you could not give any such assurance. Probably you thought under the existing circumstances you could not comply with Gandhiji's demand.

#### GANDHIJI'S ELEVEN POINTS.

But whatever constitutional difficulties may have existed in the way of giving such an assurance as was demanded by Gandhiji, although we do not agree that such difficulties were insurmountable, it is difficult to believe that it was not possible for the Government to prove, by its deeds and spirit, that "Dominion Status was in action." How far that spirit has been shown by the Government is clear from subsequent events. Gandhiji, however, appreciating the difficulties of Your Excellency and that of the British Cabinet in giving any such assurance, probably due to the Simon Commission not having concluded its enquiry, reduced his immediate demand to the following eleven points —

- (1) Total Prohibition.
- (2) Reduction of the ratio to 1s 4d.
- (3) Reduction of Land Revenue by at least 30 per cent. and making it subject to the legislative control.
- (4) Abolition of the Salt Tax.
- (5) Reduction of the military expenditure by at least 50 per cent.
- (6) Reduction of the salaries of the highest grade service to one half or less so as to suit the reduced revenue.
- (7) Protective tariff for foreign cloth.
- (8) Passage of the Coastal Traffic Reservation Bill
- (9) Discharge of all political prisoners save those condemned for murder with-  
drawal of all political prosecutions and abrogation of Section 124-A, Regulation III of 1818 and the like and permission to all Indian exiles to return.
- (10) Abolition of the C. I. D. or its popular control, and
- (11) Issue of licences to use fire-arms for self-defence, subject to popular control

Referring to these points, he said in "Young India": "But let the Viceroy satisfy these very simple, but vital, needs of India, he will then hear of no talk of civil disobedience and the Congress will heartily participate in any Conference where there is a perfect freedom of expression and demand"; and in a subsequent interview, he said: "If they were to concede a few main points and couple the concession with a promise that the rest would be conceded as soon as possible, I would be prepared to consider a proposition for a conference. But the justice of all these demands must be admitted. You will agree that there is nothing new about them. Most have been handed down to us from Dadabhai Naoroji's time."

#### EFFECT OF GOVERNMENT'S UNRESPONSIVENESS.

It can be seen that at least six of them namely:—(a) Total prohibition. (b) Reduction of the ratio to 1s. 4d. (c) Abolition of the salt tax. (d) Protective tariff for foreign cloth, (e) Passage of the Coastal Traffic Reservation Bill, and (f) Discharge of all political prisoners save those condemned for murder, withdrawal of all political prosecutions and abrogations of 124-A, Regulation III of 1818 and the like, and permission to all Indian exiles to return, are such as have been discussed from time to time in and outside the Legislatures and the opinion of the people has been fully expressed thereon. There could be no difficulty in meeting a number of those demands. But, unfortunately, Government gave little response. Even justice of any of those demands was not admitted. Far from making the people feel that Dominion Status was in action, it was being made abundantly clear that the Government were bent upon having their own ways against the will of the people. Earl Russell's speech and Your Excellency's speech in the Legislative Assembly indicated in unequivocal terms that hopes had been built where no justification exist-



ed Arrests of Messrs Ramananda Chatterjee and Subhas Chandra Bose were the first indications in that direction. Those who criticised the Delhi Manifesto began to appear to be right. Those who hesitated to cast doubts upon the pronouncement in the beginning now began to feel doubtful about their own wisdom. The Tariff Bill was the proverbial "last straw" on the camel's back in regard to those who wanted to give a fair chance to the Round Table Conference. It clearly dawned upon everyone's mind that the definition of the goal was quite different from its achievement. People rightly put it to themselves that if the British Cabinet wanted to establish Dominion Status in a reasonably short period why should there be all this hesitation about accepting even some of the 11 points. With Dominion Status, as we have understood the word in its true sense, India would be free to accept or reject any of the eleven points of Gandhiji and if the establishment of Dominion Status were going to be a reality and not a vague promise for a far distant goal, it was difficult for a layman to understand this unresponsiveness on the part of the Government to accept the propriety of Gandhiji's eleven points. The inevitable and logical answer sprang itself upon the people automatically that the British Cabinet was not serious. It was said with good justification that we were sought to be pleased by platitudes. "After all," remarked the man in the street, 'it was not the definition of our goal which we may achieve a century or may be a few centuries hereafter that we are hankering for.' No sensible man would care to live on such vague hopes—hopes about the realisation of which there was no certainty.

Direct action for achieving the goal was the only remedy suggested by the leaders. The only thing which remained to be decided was its form. Gandhiji started civil disobedience; others, if they do not actively adopt it, most actively sympathised with it. This is the situation to-day. There is not one leader with a reasonable number of followers to-day in the country who is opposed to this movement. It may be pertinently asked—Why do people want to defy the law? Is it a pleasure to get one's head broken or to court jail? The answer is surely in the negative. But there seems to be no other alternative. Government have made it impossible for even the most moderate-minded people to help the former. People have lost faith in the Government. The doubt, which, according to Your Excellency, "existed in India about the sincerity of the British parties" exists even to-day in an intensified form. The situation has simply gone from bad to worse.

We may assure Your Excellency that we have great regard for Your Excellency's personality. We fully appreciate the efforts made by you to bring about a solution. We realise that you still desire to see the present strife ended but we would be failing in our duty if we did not say that it is most tragic that events have synchronised with the regime of a noble Viceroy, more befitting the rule of a reactionary ruler. Brutal and barbarous assaults on peaceful men, and even on women have been perpetrated which have at several places provoked people to retaliate following firing by the Police, thus culminating in huge losses of innocent lives. Rule by law is being replaced by rule by military and Ordinances. The Press is gagged. The noblest children of the country have been cast into prison. Noble, selfless, virtuous men—men that the proudest country in the world would be proud to own—have been incarcerated. Mahatma Gandhi—the apostle of peace, a man fit for reverence—has been put into jail. These things, though most repugnant to Your Excellency, and may be even causing the greatest distress to you, have been perpetrated, most probably by your reluctant assent, all the same with Your Excellency's consent. What could be greater condemnation of the present system of government than the fact that such a state of affairs should at all exist? It is no wonder, therefore, if people have become desperate. The situation demands a different remedy. Correct analysis of the situation, greater foresight, and noble courage are the desiderata at the time. Let us put the present position in a nutshell.

#### THE PRESENT SITUATION.

The position of the Government is that they still stick to their original proposal, viz., of the Round Table Conference and invite people to participate. Nobody knows what is to be the function or the terms of reference of the Round Table Conference. Whether it is going to be a sort of tribunal where Indian leaders have to state their views without having any hand in the framing of the constitution, or whether it is going to be a body to frame a scheme for the constitution of

Dominion Status, which eventually will be put before the Parliament with the approval of the Cabinet, no one knows. Everything is in dark. Yet so much stress is being laid on it and leaders are called upon to participate in it. And this even at a time when the one man who alone can deliver the goods is cast behind the iron bars. On the other hand, there are the eleven points of Gandhiji on the basis of which he is prepared to offer his co-operation. The ordinary man undoubtedly sees more preciseness and logic in Gandhiji's demand. It is, therefore, desirable to throw greater light on what exactly this Round Table Conference is to be. If it is going to be a body where the question of framing a constitution for the Dominion Status is to be decided, then it should be definitely known as early as possible, so that those who have refused at present to give their co-operation may seriously consider whether it is not worth the country's while to accept the proposal. On the other hand, if it is going to be a mere debating place where the leaders will have no more hand in framing the constitution than stating their case before the representatives of His Majesty's Government for their favourable or unfavourable consideration, then it is equally essential that India should know her position. But, from the mutual point of view, that is, of India and Great Britain, it seems most desirable that the terms of reference of the Round Table Conference, its functions, and attitude of the British Cabinet with regard to the period within which Dominion status may be established, should be clearly and unequivocally defined. On our part, we have not the least hesitation in impressing it upon Your Excellency that no Round Table Conference can reach at a satisfactory solution acceptable to the country in which Gandhiji is not present.

The position of the Indian Mercantile community is made clear from the resolutions passed by the committee of the Federation on the 20th May 1930 to the effect that "No conference of the nature of the Round Table Conference convened for the purpose of discussing the problem of Indian constitutional advance can come to a solution of the present political difficulty which will be acceptable to the country, unless such a conference is attended by Mahatma Gandhi, as a free man or has at least his approval."

The only remedy to deal with the present discontent, therefore, in our opinion, is to make a definite statement on behalf of the Government of India and the British Cabinet inviting Mahatma Gandhi to the Round Table Conference to prepare a constitution for the establishment of Dominion Status, a status of independence enjoyed to-day by Australia and Canada. We are sure that if such an action is taken the present strife will end and Gandhiji will give his co-operation. If however, this is not done, the only interpretation which could be put on the past pronouncement would be that there is no real desire on the part of Great Britain to pursue a policy of conciliation; that all talk of establishment of Dominion status is mere hollow promise or that by Dominion status the Government mean something different to the status at present enjoyed by Dominions; that the primary object is to bargain for the maximum co-operation of the people with the minimum concession. We think it our duty to tell Your Excellency that if such is the policy of the Government, which we hope it is entirely wrong and, we assure Your Excellency, it is not going to succeed. In spite of all our domestic troubles, it is the unanimous desire of the people to see Dominion Status, as it is understood in this country, established at as early a date as possible. No sacrifice is counted too great for achieving the goal. People are determined to achieve their object even at the greatest sacrifice, and no peace is possible until the goal is reached.

We would ask Your Excellency to judge the situation calmly and dispassionately. We would ask you not to be misled by the cry of "firm policy" often raised by short-sighted people who are, in our opinion, unintentionally acting as enemies of England and India. Government has already given trial to the so-called firm action, but with no success. An incorrect notion exists in a certain circle that the mere arrest of Gandhiji would subside the present movement. Undoubtedly nobody has got a greater hold over the people, classes and masses than Mahatma Gandhi, but his undisputed hold indicates only one thing, and that is that the people are burning with a passionate desire to obtain political freedom as early as possible, and in him alone, they feel, they can find a man who could lead them to the desired goal. There is no parallel between the movement started in 1921 and the present one. The last movement subsided immediately after Chauri Chaura, but not due

to Gandhiji's arrest. Even before his arrest he had cried halt on account of Chauri Chaura affairs. Although he was strongly criticised for his decision by his country men, all the same he was implicitly obeyed. This time, the country is much more advanced than it was in 1921. Beside the people have decided to continue the present struggle until an honourable settlement is arrived at. There is, therefore, no likelihood of this movement collapsing. Two courses only are, therefore, left open to the Government either to rule by sheer force or to follow a policy of conciliation. It may be that the Government can rule the country by force, only temporarily, but not with the co operation and goodwill of the people. This could only lead to the greatest disaster possible. The only alternative which could lead India to her destiny and which alone could benefit both the countries, i. e., India and Britain, is a policy of conciliation. Statesmanship demands that Britain should take a courageous step, and we hope that Your Excellency will give a bold lead in the direction of conciliation and end the present strife in consultation with the National leaders to the mutual and permanent benefit of India and Britain.

## Bengal National Chamber of Commerce

Presiding at the annual general meeting of the Bengal National Chamber of Commerce, held in Calcutta on the 21st. January 1930, Mr. *Nalini Ranjan Sarkar* reviewed the trade conditions of India for the current year and the financial policy and position of the Government, and pleaded for the adoption of a comprehensive national economic policy which alone would permanently improve the conditions of industry and trade and strengthen the Government's financial position.

Mr. Sarkar affirmed that the rot in India's economic condition was due entirely to the unsound, unscientific and unsatisfactory policy of the Government in regard to currency, credit, finance and exchange. After referring to the effect of the Government's currency policy on India's trade and industry as well as on the purchasing power of the masses, Mr. Sarkar said that the low cash balance of the Government required substantial long term investments in India, and in view of the fact that the Government could not borrow in London, except at extremely unfavourable rates, the one and only alternative according to him was a loan in New York, which was not less important than London as a financial centre. There was no reason, he said, why India should be compelled to concentrate all her foreign loans in London. There was every possibility of India floating a dollar loan on very favourable terms. The loan which he would like to be floated in New York at a comparatively cheap rate should, in his opinion, be of a size not only capable of bringing relief to the Finance Member in his immediate embarrassments, but also of enabling him to launch on permanent and constructive measures and innovations calculated to prevent a recurrence of the present conditions of both trade and the money market.

Mr. Sarkar pleaded for quick and intense industrialisation in order that the economic conditions of the people and their purchasing power might be strengthened in the interests of India and England alike. Concluding he asked the Finance Member to have an equal eye in both countries in the framing of monetary, economic and financial policy. "A stronger, more prosperous and more contented and friendly India would be a greater asset to Britain than the lean, hungry, famished and disgruntled Hindusthan of to-day," he declared.

*Raja Reshma Case Law*, President of the Chamber, who was prevented by illness from attending the meeting, in a message said he hoped the Labour Commission and the Banking Enquiry Committees would discover ways and means for the development of India's industry and commerce and for a solution of the problem of unemployment which was assuming alarming shape.

Mr. *K. C. Roy*, M. L. A. who was present, complimented Mr. Sarkar on the comprehensive survey made by him of India's economic position and observed that the address of the President revealed that he was for Dominion Status so far as the financial condition of the country was concerned.

## Bombay Indian Merchants' Chamber

Mr. L. R. Tairsee the retiring President of the Indian Merchants' Chamber, speaking at the annual meeting held in Bombay on the 25th. January 1930, appealed to Gandhiji and the Congress to desist from pursuing the intended programme of civil disobedience till the promised Round Table Conference had met. If Gandhiji gave a sporting chance to the believers in the Round Table Conference and if they did not obtain full Dominion Status in action then "we will be disillusioned and may all stand with Mahatmaji in the struggle to obtain it, but to expect us to join him this time, when there is an offer which we think it inadvisable to turn away, is to ask too much of us, compared to the too little we are asking of him, namely, to withhold his hand for the present."

Mr. Tairsee referred to the textile industry, and declared that if protection did not come or came not in form or to the extent necessary, the duty of the industry was clear. It should take up Swadeshi propaganda on an extensive scale.

Mr. Hussain Bhai A. Laljee, the incoming President, in his address, put in a plea for a vigorous scheme of industrialisation which by producing more wealth and creating fresh avenues of employment would remedy the defects of the present economic system. India, he declared, could no longer tolerate being regarded as a plantation growing raw produce to be shipped by foreign agents to be worked into fabrics by foreign skill and capital and re-exported to India by foreign merchants. If the Government wanted a peaceful and satisfied India, it was their foremost duty to provide every help and assistance for the encouragement of Indian industries and thereby create employment for the increasing number of unemployed Indians.

## Calcutta Indian Chamber of Commerce

Mr. Faizulla Ganjjee, in his Presidential address on the 4th. February 1930, at the fourth annual general meeting of the Indian Chamber of Commerce, Calcutta observed :—

The last two years were very arduous indeed for the commerce and industries of the country. The situation in the sphere of finance, trade and industries has been full of worry and anxiety to all concerned, and that being so, I have no zeal for reviewing even in brief the events of the last two years and would not have done so at all had it not been for my feeling that the experiences of the past might give us good guidance for the future. I will, however, say this, that the state of almost all industries has gone from bad to worse and indeed some of them are on the brink of ruin and deserve immediate help at the hands of the Government who have hitherto remained studiously unsympathetic indeed. The Cotton Textile Industry has experienced an unparalleled depression and labour troubles almost continuously during the last two years, and has been clamouring ceaselessly for additional protection from the Government which has hitherto failed to respond, in spite of the fact that no small part of the trouble in the industry is due to their blunder in the fixation of the ratio at the unjustifiable level of 18d., and to their Currency policy which has resulted in contraction of credit facilities all round. I hope the next Finance Bill will contain definite proposals for additional protection to the cotton industry to enable it to tide over its present difficulties and set its house in order.

### GOVERNMENT'S FINANCIAL POLICY.

In regard to finances, the situation is still gloomier. That the country is being slowly drained admits of no doubts; that the purchasing power of the people of the country is dwindling is also certain; it is also true that the Government have done next to nothing to give effect to the desire of Mr. Snowden, Chancellor of the Exchequer of the British Government, for increasing the average income of the people of this country to enable them to consume more of British goods and thus to relieve

British industries from their present depression. I am also convinced that this is due largely to the ill-suited financial policy of the Government which has had to contract currency to the extent of more than 22 crores of rupees during the current financial year and had to raise the Imperial Bank rate of interest to 7 per cent on the threshold of the busy season, and to offer fantastic rates of interest on its loans and Treasury Bills. In the last annual report of the Department of Industries, Bengal, Mr. A. T. Weston, Director of Industries, a high official of the Government of Bengal who cannot be accused of being biased or prejudiced against the Government, concedes that the industrial backwardness of India during the last few years has been due to the constriction in the purchasing power brought about mainly by the financial policy. My advice to the Government of India on several occasions for reviewing the present financial situation with a view to assessing the harm that has been done to the interests of the country by the compulsory maintenance of the statutory ratio at the higher level of 18d. and the reversion to a policy calculated to promote the interests of the country, has fallen on deaf ears. When, however, even high Government officials are fully alive to, and mention in unambiguous terms the fact that the purchasing power of the people has been crippled as a result of the Government's financial policy is it not time for the Government of India to reconsider their position, to abandon their policy of looking more to the interests of Great Britain than of India and to agree boldly as trustees of this country to the appointment of an impartial Committee for reviewing the financial policy, with a view to bring it in consonance with the legitimate needs of the country, and thus to placate public opinion?

#### COMMISSIONS AND COMMITTEES.

The last one or two years have witnessed the appointment of a large number of enquiries by Committees, Commissions, Conferences and Councils, e. g., the Royal Commission on Labour, the Hides Cess Enquiry Committee, the Salt Industry Enquiry by the Tariff Board, the Court of Enquiry into Industrial Strikes by the Government of Bombay, the Banking Enquiry Committee—Central as well as Provincial—the enquiry into the import tariff on Cotton Piece-goods by Mr. Hardly, the Soft Coke Cess Committee, the Road Development Committee, the inauguration of the Agricultural Research Council, the Merchant Shipping Conference, etc., etc. Let me hope that as a result of these enquiries by Committees and Commissions, the industrial future of India will improve, though the unfortunate experience of the past does not warrant such a hope. Enquiries have several times been undertaken with a view to passing time and disarming the criticism of the people that the Government are doing nothing. In some cases, the reports of such enquiries were delayed long in publication and in others action has not been taken on their major recommendations when it did not suit the Government to do so. Action is yet to be taken on the Report of the Economic Enquiry Committee of 1926 under the chairmanship of Sir M. Viswesvarayya, the Report of the Tariff Board (Cotton Textile Enquiry) the Report of the Indian Mercantile Marine Committee, 1923-24, the Fiscal Commission of 1921-22, etc. Instances can easily be multiplied where these reports are quietly pigeonholed by the Government, but it is not necessary for me to do so, as it is all too well-known.

The appointment of the Committees will, by itself, be therefore no panacea for remedying the burning unemployment problem among the middle classes, for bringing about the amelioration of the people and the salvation of the country. For that purpose it is an imperative and paramount necessity that the Government should shake off their laissez faire policy in relation to trade and industries, and should be actively and earnestly prepared to help the industries by giving them a full measure of protection, and should develop the large areas of virgin land for purpose of agriculture on modern and scientific lines.

#### TRADE DEPRESSION.

Nearer home the situation in the jute industry is also causing considerable anxiety. Ever since the termination of the short-time agreement since July, 1929 by the Jute Mills' Associations, the prices of manufactured products have been gradually declining and have reached a level where it is hardly possible for them to show the result of profitable working which they have been doing in the past. The fall in prices has brought a severe depression in the industry which has

hit all concerned, beginning with the industrialist and ending right down to the cultivator.

Such an acute depression in two of the largest industries in India simultaneously, cannot but bring ruin and starvation to the already impoverished millions of the country. It is high time therefore that the Jute Mills Association considered carefully the ways and means of bringing immediate relief to the industry from its present state, as otherwise the consequences would be disastrous.

The political situation in the country is also getting serious but I shall not dwell on it here. If, however, in addition to the tenseness of the atmosphere in the political situation, the unrest in the economic sphere and the question of the gnawing poverty and the unemployment of the people is not solved, I am afraid, the result would be calamitous and I would warn the Government to consider this very carefully.

#### APPOINTMENT OF TRADE COMMISSIONERS

The industries of the country, I emphasise once again, must be protected at the present juncture and all avenues explored for developing the trade and industries of India. The recent announcement by the Government of India of their intention of appointing Indian Trade Commissioners at Durban, Alexandria, Mombassa, Hamburg, Milan and New York for developing the trade of India is a very welcome step in that direction. The appointment of such Trade Commissioners has been urged by the commercial community, and I am pleased to find that the Government of India have taken action on this suggestion at least. I am, however, not satisfied to find that the Government of India contemplate the appointment of only two Commissioners this year. I would strongly urge upon the Government of India to appoint all these six Trade Commissioners at once without any loss of time, and particularly to reserve these offices for non-official Indians only, who have been in active touch with the trade and industries of the country. It should be as well an essential qualification of these Trade Commissioners that they should be acquainted with business conditions, and local commercial practices. Then alone will they be well-equipped to discharge their duties for developing the trade connections between India and the foreign countries.

I must make a mention here of another subject in which the country has been taking a great deal of interest since the last 2 or 3 years. I am referring to the question of development of an Indian Mercantile Marine. As you are all aware, His Excellency the Viceroy convened a Merchant Shipping Conference early last month at Delhi with a view to arrive at a satisfactory settlement between the Indian and the Britishers's viewpoints on the question of the development of the Indian Mercantile Marine. I greatly regret that the Conference has failed to arrive at any solution.

Let me express the hope that now at least the Government will realise the imperative need of prompt and effective action for promoting the fundamental principle of the Coastal Reservation Bill which has the unanimous approval of the commerciality and the public at the earliest opportunity.

#### The Chamber's Protest against Picketing Ordinance

The following was addressed to the Secretary to the Government of India. Home Department by the Secretary, Indian Chamber of Commerce, Calcutta in June 1930 :—

I am directed by the Committee of the Indian Chamber of Commerce, Calcutta to refer to Ordinance No. V. of 1930 providing against certain forms of intimidation promulgated by His Excellency the Governor-General on 30th May 1930. The statement issued along with this Ordinance for the prevention of Intimidation shows in very clear terms that the Ordinance is to be directed chiefly against the picketing of foreign goods or of liquor. His Excellency on behalf of the Government has observed in this statement that the Government themselves are anxious to see the promotion of indigenous industries and it is perfectly legitimate for any person in advocacy of this object to urge the use of Indian Goods to the utmost extent of which Indian industry is capable. In regard to Liquor His Excellency states : "Nor have I anything but respect for those who preach the cause of temperance."

In spite of such expressions of sympathy with these objects my Committee fail to understand why this Ordinance should have been promulgated at all. There is a strong feeling in the country, as His Excellency has himself recognised, for everything Swadeshi, and for a policy of prohibition of drinking. India would soon become a "dry" country if she had the power to legislate according to her own requirements. The various Provincial Governments have all along rejected the popular demand for prohibition or sale of liquor on the ground of loss of revenue to the Exchequer. My Committee therefore take this opportunity of suggesting to the Government that they should, by embarking upon a policy of total prohibition forego the revenue derived from liquor which being an intoxicant is injurious to the people and has a ruinous effect on their health, morale and well-being and should either curtail the Government expenditure to the extent of that revenue or should raise it from other sources.

Picketing is a perfectly legitimate method of persuasion and has been resorted to induce buyers of foreign piece-goods and consumers of liquor to abstain from their use. As the Government are aware, picketing has been carried on peacefully and non-violently all over the country for the last three months. At the special behest of Mahatma Gandhi, ladies have taken to picketing and this at least should have assured the Government that it will be carried on in a manner that will be above reproach. When the Government refuse the national demand for a policy of protection or of prohibition the people have certainly the right to adopt all peaceful and legitimate methods for preventing the use of foreign cloth and liquor. But it appears as though the Government do not want even an intensive propaganda for persuading people to abstain voluntarily from their use and instead of encouraging what even on His Excellency's own admission are proper ends, they are trying to make popular efforts in that direction, penal.

The "raison d'être" of this Ordinance appears to be the desire of the Government to help Great Britain to force its goods into this country against the wishes of the people by making picketing of foreign goods an offence punishable by imprisonment extending to six months. The Government are sadly mistaken, if they believe that this use of force by them would serve their object, viz., of helping Great Britain to sell its goods in this country. Just as the move of repression and terrorism pursued by the Government to kill the Civil Disobedience movement has failed, my Committee are afraid, this move of the Government will meet with no better result. On the contrary they have grave apprehensions as to whether such a move will not bring about a severe blow to the trade of Great Britain by still more estranging the feelings of the people over this vexed question.

My Committee desire me to refer here in brief to the treatment that the Cotton Industry in India has received from the Government at various stages. You are no doubt aware that in the year 1701 the Parliament of Great Britain enacted Laws totally prohibiting the use of Indian manufactures and imposing a penalty of £200 on persons having or selling them. As instances of further handicaps imposed on the Indian cotton manufactures, I am to cite the exemption from duty granted in India to certain articles of Great Britain like woollens etc. by Regulation IV of 1815, the preference to British ships by imposition of higher duties on foreign ships and the exemption from duty granted to British goods in the Inter-Provincial trade by Regulation XII of 1817, even though Indian goods had to pay such duties. When a duty of 2½ per cent was levied on British goods the duties that Indian manufacturers had to pay in Great Britain were as high as 7½ per cent in 1812 and 67½ per cent in 1824. The result was that the foreign trade in Indian manufactured goods declined steadily while her imports were on the increase.

By 1840, India was reduced by the Government in regard to Tariffs, Sea-Customs and Inland duties, from a manufacturing to an agricultural country supplying raw materials to and importing manufactured cotton goods from Great Britain. While woollens from Great Britain were admitted duty free and cottons at 2½ per cent duty in India, almost prohibitory duties varying from 10 to 20, 80, 500 and 1000 per cent were levied in Great Britain upon articles from India. Sir William Digby correctly observed that the Indian cotton industry was deliberately throttled by the preferential treatment accorded to the British industries by the Government, and in spite of the numerous possibilities and natural hereditary advantages that

existed in favour of the Indian cotton industry, India was reduced to a condition whereunder she had to import goods from Great Britain.

#### CALLOUS TREATMENT TO COTTON INDUSTRY

The history of the callous treatment meted out to the Indian cotton mill industry since its establishment in the middle of the 19th century is also wellknown. The progress of the Indian cotton industry has been impeded deliberately by the Government at various stages. The most conspicuous amongst the handicaps that were imposed by the Government was the levy of the excise duty of  $3\frac{1}{2}$  per cent on piecegoods made in the Indian mills. This measure was enacted at the behest of Lancashire in 1896 and this opprobrious duty continued to exist in spite of strong protests from Chambers of Commerce and the Millowners' Associations and utterances of persons of authority and weight, till 1925 when it was suspended. The excise duty in the words of the Fiscal Commission of 1921-22 is "a conspicuous example of political domination being used for purposes of economic domination." Even the "London Times" observed once upon a time that the "Indian cotton excise duty has always been politically, economically and, above all, morally indefensible." The excise duty which taxed the internal production of the country and which operated harshly on the Indian mills was repealed only in 1926, thirty years after its imposition. The Government have also done considerable harm to the cotton textile industry by the ill-fated and unsuitable currency policy, the high railway freights which apart from granting facilities for the cheap transport of goods made inside the country, nullify the little protection that the industry has in the shape of an import duty on foreign goods, by imposition of the silver tax in 1910-11 which transferred India's trade in yarn with China to Japan, by high taxation, on the mills, central, provincial as well as municipal, by the manipulation of exchange, by raising the ratio first from about 12d to 1s. 4d, then its arbitrary fixation at 2s. in 1919 with disastrous failure of the attempt, and then in recent years by a deliberate appreciation of it to 1s. 6d. in spite of the keenest opposition from the commercial community and the general public. This latter stoppage of fixing the ratio at 1s. 6d. has been the largest contributory cause of the post-war depression in the industry. The appreciated ratio virtually conferred a bounty on foreign manufactures at the expense and to the grave detriment of Indian manufactures. As if this was not enough during the last Session of the Indian Legislative Assembly, Imperial Preference on British cotton piece-goods was imposed on the country in spite of vehement protest from the nationalist benches, and strong opposition of the commercial community and the public. All this serves to show beyond the shadow of a doubt that the cotton textile industry in India has always suffered in one way or the other at the hands of the Government of India who have not hesitated in putting impediments in its progress.

My Committee very strongly resent that after having dealt so many blows on the cotton textile industry in this country, the Government should have further gone to the length of opposing the legitimate efforts of the patriotic people of persuading the public of the country to use no other goods but those made in their own country, with a view to help the economic and industrial development of the country. It is painful to see that the Government are interfering with the people in giving effect to their self-imposed resolve of using only Swadeshi goods out of a patriotic motive. In other words, Government are penalising the patriotic sentiments of the people, a step which is bound to meet with the strongest resentment from all quarters. Far from helping the national movement by passing an Act of Parliament, as was done in England in 1701, for prohibiting import of foreign goods, when the Government of India oppose under the pretext of safeguarding the liberty of individuals even the legitimate desire of the people, of persuading others to encourage the use of Swadeshi goods and abstaining from purchase of foreign goods, their action cannot but meet with the severest condemnation of the public. My Committee have no doubt in their minds that the intention of the Government is to retain the market for Lancashire goods in India by any means whatever, but they are afraid that the Government will not succeed in their object by promulgating such an Ordinance. On the contrary, the only consequence of such an Ordinance will be that the propaganda for the use of Swadeshi will be conducted with greater force throughout the country and this will



operate in a greater measure to the detriment of Great Britain whose interests are verily sought to be protected. My Committee, however, strongly suggest that the Government of India should reconsider the justification of the promulgation of this Ordinance and should repeal the measure without delay, in order that it may not be said of them, that even to-day they evince greater solicitude for safe-guarding the interests of Great Britain, even where the interests of this country are in conflict with those interests, and seek to give effect to such a desire even in the teeth of bitter opposition from all sections of the people.

My Committee would further suggest that the Government, as the trustees of the welfare of this country, should readily come forward and help the public, in whatever manner it is possible, in their laudable endeavours of making the country self-sufficient with respect to the supply of piecegoods from internal sources.

### **The Calcutta Merchants' Warning to Government**

The following letter was addressed in May 1930 to the Viceroy by more than a dozen influential mercantile associations who are members of the Indian Chamber of Commerce, Calcutta :—

We propose to confine ourselves to the narrow issue, i. e. the indulgence in indiscriminate assaults on peaceful citizens, abuse of law, and the policy of general terrorism pursued all over India by the authorities. The information which is pouring in from all parts of the country indicates that the policy which is being pursued is calculated more to strike terror into the hearts of the people than to discharge the obvious duty of Government to maintain law and order. While we do not object to the legitimate enforcement of law, the adoption of a policy of terrorism and disproportionately vindictive punishment through the mechanism of law is undermining the confidence of the people in the Government.

The Salt Act provides that a breach of its provisions would render the delinquent liable to simple imprisonment for a term which may extend to six months. It is nowhere laid down that he can be assaulted. But we daily get authentic information that the authorities instead of quietly arresting the volunteers for which they offer themselves—commit physical assaults on them. We are further informed that in committing physical assaults on the volunteers, acts of brutality have been practised in many cases. Instances could be cited from every province where practically the same tactics have been used to subdue the spirit of the Satyagrahis. As we observe a uniformity in this matter in all the provinces, it seems that the assaults are committed in pursuance of a policy laid down by some authority in Government or at least with their approval. We are reliably informed that the Satyagrahis in Bengal are treated in a similar manner.

Besides, pedestrians on the roads in Calcutta are often beaten by the Sergeants if they are found to be clad in Khaddar. Special constables have been engaged in Calcutta to do Sergeant's work and we are informed that they have been drawn from the European and Anglo-Indian subordinate staff of the European offices of Calcutta. This very fact goes to show that they were needed to do a work for which Indians could not be available and relied upon. When Mr. V. J. Patel, lately President of the Indian Legislative Assembly, arrived in Calcutta on the morning of the 3rd. May, 1930, similar demonstration of terrorism was given by the police to the citizens of Calcutta.

We find that even in regard to firing the common canons of every civilised Government are being discarded. It has been recognised in all civilised countries that before firing is resorted to, adequate warning should be given and firing is carried out in such a manner as to cause the smallest amount of injury, the intention being to disperse the crowd and not to kill. But the public were horrified at the way in which firing was carried on the occasion of the carters' strike in Calcutta on the 1st April, 1930.

It is well known that several persons were killed who were in no way concerned with the strike, and some of whom were not even on the road but on the upper floors (2nd, 3rd, etc.) of their houses. The Deputy Commissioner of Police, Mr. Bartley when giving evidence before the Coroner, took the whole responsibility on himself and far from feeling the slightest remorse, justified his action by saying : "most of

the people were hit on the chest or upper part of the body. There is no such order to fire at the feet. When we order "fire" we mean "fire to kill." He denied that there was any such rule that firing should be so directed as to cause minimum amount of bodily injury."

We are informed that firing was carried on at Bhawanipur also without giving due warning and without taking due precaution.

The happenings in the Alipore Central Jail a few days ago are another instance of a policy at present pursued. The jail authorities with the help of ordinary criminals assaulted the political prisoners, both under-trial and convict. Even high social status and educational qualifications could not save the prisoners from the humiliation and the pain, both mental and physical, of being assaulted by the Peshawar and European warders and convicts. Men like Messrs. J. M. Sen Gupta (the Mayor of Calcutta), Subhas Chandra Bose, Nripendra Chandra Banerjee, and others shared this fate along with their other compatriots.

Although it is recognised according to all international principles and even during big wars that the persons of Red Cross Volunteers are held to be sacred, this salutary principle was disarded at Kalikapur where the Hospital and Red Cross Volunteers were furiously attacked and assaulted by the police (Vide "Liberty" dated 15th April, 1930). One has to admit that in spite of all these provocations, the public have kept great restraint upon themselves. The deplorable incidents at Peshawar, Karachi, Calcutta and a few other places should not be cited as typical instances of violence. If His Excellency had both sides of the case before him, most probably, he would agree that on the whole people are wonderfully following the path of non-violence, in spite of provocations.

If it is thought that repression can subdue the people we submit that the authorities are very much mistaken. There have been repressions in the past, but they have only led to the political feeling in the country becoming of a much stronger and wider nature.

## The South Indian Chamber of Commerce

The 20th. annual general meeting of the South Indian Chamber of Commerce was held at Madras on the 29th. March 1930, with Mr. Jamal Mahomed in the chair. A large number of members of the chamber attended. In moving the adoption of the annual report of the Chamber with auditable statements for the year 1929, Mr. Jamal Mahomed said :—

In the report will be found a brief record of the main proceedings of your committee during the past year. It is not possible to give in a small compass like that a complete record of the work done from day to day by the Chamber and by its representatives on the public bodies on behalf of the business community in general and of the Indian mercantile community in particular. One gratifying feature in the past year's working is the rise in the strength of the Chamber to 430 at present as against 184 at the beginning of the year. I wish the membership will grow still further so that the Chamber may make itself more and more useful to all sections of trade and industries. I note with satisfaction the continued hard work that has been put forth by the staff and the thanks of the Chamber are also due to the members of the Executive Committee and sub-committees in an abundant measure.

In moving the adoption of the annual report it is the usual custom for the outgoing President to review the conditions of trade and industries of the past year. In surveying them from whatever aspect I can, I feel that the conditions of the past year present a picture of unredeemed gloom in almost all sections of trade, commerce and industry. Whether we look to the railway earnings or to the earning House Returns, or to the reports of the Registrar of Joint-Stock Companies or to the price index of Indian produce, there are evident signs of stagnation in some cases and of deterioration in others. A most disappointing circumstance during

the past year was the continuous fall in prices all round, much more in the case of our export goods than in imported articles. South India is chiefly interested in the export of groundnut kernels and of skins and hides. Between January 1929 and January 1930 groundnut kernels dropped from Rs. 58 per candy to well below Rs. 50 and since then, have touched even as low as Rs. 38. Taking the average drop to be only Rs. 50 per ton the total loss to the agriculturists of this presidency alone on an aggregate production of 2½ million tons is no less than 12½ crores of rupees. Tanned skins and hides have dropped during the last twelve months by 15 to 25 per cent in their value. A similar alarming decline can be noted in raw cotton, cotton seed, castor seed, jute, tea, rice, wheat, etc.

This widespread and marked fall in the prices of almost all our staples, I need hardly say, has pitifully impoverished the agriculturist who is the primary producer of these articles, and has moreover demoralised the entire trade and industrial activities of the country. It is no wonder therefore that the helpless ryot in spite of fairly good monsoons finds his purchasing power sadly curtailed, the manufacturer is saddled with heavy unsold stocks, the labourers are either thrown out of work or are obliged to work on reduced wages, strikes and lock-outs are the order of the day, currency is deflated, and money rates and exchange ratio are screwed up to unsympathetic and unnatural heights, and credit is highly strained, much to the detriment of the relations between the debtor and the creditor. These are not conditions that favour steady economic life, and the country in consequence is passing through a period of severe economic depression. The people are not only sufferers. The Central and Provincial Governments have all been faced with extreme difficulty in balancing their budgets, and in their attempt to do so they have not spared even the humblest section of the people. At least now the Government should be able to realise that even for their budgets a distressed country and an impoverished tax-payer would not suit.

The Hon'ble Sir George Rainy began the tale of woe of the Government only a few weeks ago and he testified to the sad diminution in railway traffic all round which has thrown him out of his original estimates by no less than four crores, and you may be sure that the carrying trade of the country is an index to the agricultural and industrial production of the country and to the economic well-being of the people. The Hon'ble Sir George Schuster followed close upon his heels with a gaping budget which refused to close without levying a heavy toll both on the rich and on the poor. But his budget lacks the saving grace of tackling the root cause of the trouble. On the other hand, he is determined to shut his eyes to it at all costs, and admits with praiseworthy candour that he has no open mind on the question. That is a circumstance which effectively alienates the sympathy and co-operation of the people, especially of the agricultural and mercantile sections of it, in meeting the troubles of the Government and I may warn the Government that unless the fiscal policy of the country is revised and modelled on the needs and requirements exclusively of this country without reference to the interests of Great Britain or her unemployment problem the present sad state of affairs must continue and perhaps become worse, and worse to the detriment of the Government of this country as well as to its trade and agriculture. I may also add that it would not serve even the interests of Great Britain, as the present reduction in the consuming power of the people must ultimately re-act on her industrial conditions.

#### FOREIGN TRADE

Nothing brings into more bold relief the rapid decline in the potentialities of this country than an examination of the figures of foreign trade in the past and at present. The following table shows the percentage of increase in India's imports of merchandise and exports of Indian merchandise during two typical periods of her history :—

Statement of imports and exports in creases of Rs :—

	1906-07.	1910-11	Percentage of increase (+) or decrease (-).
Imports	108	129	+ 19%
Exports	173	205	+ 13%
	1924-25.	1928-29.	
Imports	246	258	+ 3%
Exports	384	330	- 14%

These figures make it abundantly clear that the usual rate of increase in imports practically came to a standstill during the last four years when the 18d. ratio was enthroned *sacro sanct*, while in the case of exports not only the usual increase disappears but there is also a definite and substantial set-back of no less than 44 crores. The statistics so far available for the year 1929-30, if anything, make the above features more pronounced. This is a state of things which should set any serious-minded person thinking as to where this country is drifting to. A phenomenal deterioration in the value of Indian produce and manufactures—which in other words means a great diminution in the earning power and therefore in the spending capacity of the people—a steady and stupendous decrease in our exports, and ever-increasing debt burden, and a severe slump in industrial activities are the price we pay for the 18d. ratio.

Instead of promptly rectifying or at least reviewing the whole position in the light of the present serious situation as demanded by the country with an unanimous voice, that the Hon. the Finance member should continue to assert that the Government have no open mind in this matter but they will continue to use all the resources at their command to keep up the ratio at its present unnatural and most injurious level, is indeed very deplorable. The Finance Member goes even further. As against the considered opinion of the people born and bred in the country, he pitches the pre-conceived and one-sided opinion of a few Britishers who, to say the least of it, are mere birds of passage, however superhuman they may be. This is certainly adding insult to injury.

#### THE TANNING INDUSTRY

I do not wish to tire you with more figures just at present, but I feel I should not conclude without a reference to the present difficulties of one or two of our prominent industries. I make no apology in referring to the tanning industry which is by far the foremost one of this presidency and one of great national importance. The value of leather and allied articles produced by the country may be taken as amounting to about 45 crores of rupees. In addition to its being of great economic importance to the country, tanning is a key industry indispensable in times of national emergency and crisis. I may venture to say that the whole indigenous tanning industry is sustained in the country by the export tanning interests of the country. About 80 per cent of this 'export' tanning is carried on in the Madras presidency. It is the 'export' tanners of India that are competing with the foreign interests and have been making it possible for the whole tanning industry to be retained in the country. But in this competition, the indigenous tanning industry is hard hit and has been experiencing bitter hardships for years past. This state of affairs cannot continue any longer without causing still more serious injury to the interests of the country. It is protection, sufficient protection and the rectification of the present exchange ratio and not any other measure that can help the industry out of its very sad plight. Such a protection can only be given by the restoration of the original rate of 15 per cent export duty in the place of the present reduced duty of 5 per cent. The dire necessity for protection and the peculiar circumstances under which only an export duty can give such a protection to the tanning industry have been repeatedly pointed out to the Government. It is highly regrettable that the Government have not taken any action yet in this direction in spite of the repeated appeals of the country, but are leaving it to the consequences of unrestricted foreign exploitation. It is, however, still hoped that the Government will come to its rescue, at this late hour, and give it the succour which a State is bound to give to its industries.

I would like in this connection to emphasise the strong public opinion prevalent in the country that no policy other than a fully protective one would suit this country which has yet to go a long way on the industrial development and progress. This country cannot therefore support any proposal of industrially advanced countries for abrogating, or suspecting protective measures which are required for safeguarding her vital economic interests.

No one knows the better extent of the present industrial depression in the country than the Government who have fully exploited the opportunity in forcing down the throat of the Indian Legislature a small dose of policy of imperial preference which has never before found favour in this country. It is deplorable that the Government in coming to the rescue of the textile industry, the foremost one of the country in Indian

hands, should have so exploited a pressing situation, which is mainly of their own creation, as to thrust in a veiled form a policy which is not liked even in the self-governing Dominions. I, however, hope that the Government would keep to their word as publicly expressed by the Hon the Finance Member that the exemption of Britain from the 5 per cent extra protective duty has nothing to do with the policy of imperial preference. With these words, gentlemen, I commend the annual report and accounts to your kind acceptance.

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## The U. P. Chamber of Commerce

In May, 1930 the Secretary, U. P. Chamber of Commerce, addressed the following letter to the Secretary to the Government of India, Home Department, Simla :—

I am directed by the committee of the United Provinces Chamber of Commerce to address you on the subject of the grave political situation in the country and the imperative need of a sympathetic and conciliatory policy on the part of Government.

My committee have viewed with the deepest concern the trend of political events in the country during the past few months. The salutary atmosphere created by the famous Announcement of his Excellency the Viceroy was destined to be short-lived. It was dissipated to a great extent by the debate in the House of Lords and Mr. Wedgwood Benn's speech in the House of Commons, though in a conciliatory vein, failed to remove the effects of that debate. Earl Russell's outburst, the comments of the British press and the later utterances of His Excellency the Viceroy himself elucidating the meaning and purpose of his Announcement were far from reassuring. The failure of the Viceroy's conversations with Mahatma Gandhi and Pandit Motilal Nehru on the eve of the session of the National Congress, removed the last vestige of any hope of co-operation between Government and the leaders of an overwhelmingly large section of political opinion in the country towards the solution of the problem.

### UNMITIGATED REPRESSION

The Congress declared for complete independence and Mahatma Gandhi launched his civil disobedience campaign. Not for the first time in recent history Government grossly misjudged the real strength behind the popular movement and official circles glibly talked of killing it with ridicule. Now, however, realising the grim earnestness behind the movement and surprised at the wide response it has received in all parts of the country, Government has embarked on a policy of unmitigated repression.

The policy pursued by the Government of India in recent years in financial and economic matters has estranged even the moderate political opinion in the country and the bulk of the Indian Mercantile community has lost all confidence in the good faith of the Government. The Government's exchange and currency policy, its failure to take action on the recommendations of the Mercantile Marine Committee, its unqualified opposition to the Reservation of Coastal Tariff Bill and its amazing attitude on the question of cotton duties—to cite only a few instances—were not calculated to convince the people of India that the exploitation of India by Great Britain was really going to cease. The hollowness of the so-called fiscal autonomy convention was fully demonstrated in the course of the cotton duties debate in the Legislative Assembly, which led to the withdrawal of Pandit Madan Mohan Malaviya and others who until recently had advocated co-operation with the Government, and what has been the sequel? Lancashire interests, which Government sought to safeguard by flagrant disregard of Indian public opinion, were never in greater peril than at the present time. The movement for boycott of foreign cloth, particularly British, is sweeping the country with an intensity and vigour that have never been known before. Importers and dealers of foreign cloth in all principal markets of the

country are entering upon solemn undertakings to abandon trade in foreign cloth. Government would be making a serious mistake in believing that this, entirely or mainly, is the result of picketing or other outside pressure. To a very great extent, the action of these merchants, involving as it does very great sacrifices on their part, is voluntary and is the outcome of their resentment against the economic and political policy of Government.

My committee represent a section of the people who stand for the maintenance of law and order, have a considerable stake in the country and cannot be dismissed as irresponsible agitators. They recognise that the law—even a bad law like the Salt Act—must be respected so long as it figures on the Statute book. What they cannot, however, understand or appreciate is the manner in which Government is enforcing the law and punishing its infringement. For purely technical breaches of the law committed by persons, who whatever the wisdom or unwisdom of their acts, are undoubtedly inspired by highly patriotic motives and are pledged to non-violence, sentences which have been rightly described as 'barbarous' are being inflicted by executive-cum-judicial officers of Government after farcical trials in which the accused put up no defence. There is a bewildering dissimilarity in punishment awarded in different cases of identical offences. Again, while offences under the Salt Act are being committed by large numbers of people all over the country Government have been picking out and prosecuting only those who have been taking prominent part in politics. The conclusion is irresistible that the Salt Act is but a pretext and Government is making the best of an opportunity to put out of action the prominent political workers in the country.

#### A TASTE OF STRONG GOVERNMENT

It would seem that the restraining hand of His Excellency the Viceroy or his Government having been taken off, the provincial Governments and their district officials, who probably were chafing at the restraint, are now out to give the people a taste of 'strong' government. In the name of law and order numerous acts of lawlessness are being committed by the police. Political prisoners including men of the highest social standing in the country are being subjected to humiliating treatment. The non-violent character of the civil disobedience movement has for the most part been well maintained. It is true that a few outbreaks of violence have taken place, but my committee would not be surprised if on a searching and independent enquiry it were found that rough and tactless handling by the police of excited crowds participating in public demonstrations had much to do with the unfortunate happenings. But be that as it may, the present policy is not likely to improve matters. The Government of India seem to have completely thrown overboard the idea of conciliating public opinion. Ordinances, depriving the People of important fundamental rights are being promulgated in quick succession. The events of the last few weeks have produced a strong revulsion of feeling against the Government even among those who have all along disapproved of direct action and advocated co-operation with the Government in determining the future constitution for India.

My committee wonder if Government really believe that by following the policy of 'firm rule' they would be able to crush for-ever the spirit behind the present movement. If so they are ignoring the lessons of history. The imperative need of the hour is not a display of the might and strength of the Government—people of this country have had sufficient experience of the past—but a display of real statesmanship. If an understanding between the people of Great Britain and India is not to be made impossible for all time the present policy should be immediately reserved. Nothing short of a general amnesty to political prisoners and a clear and unambiguous pronouncement to the effect that His Majesty's Government would recommend to Parliament the immediate grant of Dominion Status to India and that the Round Table Conference would discuss only the details of the Dominion constitution would meet the situation. Otherwise the Round Table Conference, if at all held, would be a mockery infinitely worse than the Simon Commission enquiry.

With all the earnestness at their command my committee urge the Government to cry an immediate halt to the policy of repression and take necessary steps to conciliate public opinion.

# Maharashtra Chamber of Commerce.

The following are extracts from a closely reasoned representation which the Maharashtra Chamber of Commerce addressed to His Excellency the Viceroy on Mahatma Gandhi's Satyagraha campaign:—

The Committee of the Maharashtra Chamber feel called upon out of duty to India, England and to the civilised world to make a public statement of their views on the present critical, political and economic situation obtaining in the country and on the remedies that appear to them to be likely to relieve it.

Mahatma Gandhi's epoch-making letter dated the 2nd March 1930 to Your Excellency as also the reply to that from Your Excellency's Private Secretary dated the 5th March 1930 are now both before the public for some time and the Committee have read the same with grave concern. The recent arrests and convictions of eminent leaders and workers throughout the country, of respected persons like Mr. Vallabhbhai Patel, Seth Jinnalal Bajaj, Pandit Jawaharlal Nehru, Mr. J. M. Sen-Gupta, Mr. K. M. Munshi, Mr. Kher and Mr. Ketkar, not to mention others who are legion and whose numbers are everyday swelling, for actions which are offences only technically and which are deliberately committed by these persons as a result of conviction and not on account of any motive of personal gain or as a result of mental or moral turpitude, ought to provide sufficient food for thought for Government if they genuinely desire peace.

The Committee of this Chamber are afraid that what Government have started doing in the country to-day is nothing else but unadulterated repression. Examples are not wanting in history where Governments have failed in their efforts to sustain themselves by these methods. There is no doubt that some advantages have been derived by India on account of her connection with Britain. But on the whole the Committee think, the disadvantages of this connection have far out-weighted its advantages. Appalling poverty is in evidence everywhere and the ever-increasing burden of civil and military expenditure is crushing the tax-payer. Government's manipulation of Finance, Exchange and Currency have caused heavy losses to the country. Education, public health and development of agriculture, commerce and industry have not received adequate attention. The *laissez faire* policy followed by Government in this country has caused the ruin of our industry in almost every line and to-day the country has to put a stiff fight in the Legislative Assembly for winning back its coastal traffic.

The Committee think that it is necessary as a gesture to accept almost immediately the eleven points put forward by Mahatma Gandhi if Government really mean to settle the issue in a great, bold and statesmanlike manner. India and Britain will both be benefited if an amicable and fair settlement is arrived at.

In India education is neither free nor compulsory, mortality is very high and practically no real effort is made to improve the economic position of the people. That the British Government have not been able to do anything in this direction to keep pace with the rapid progress in other countries during the last few years is a matter for just reproach.

There is no analogy between the political and economic situation of 1919-1922 and that of the present day. There was then prosperity, although artificial, it was then believed by many that those who guided or controlled the powerful political forces were unduly impatient. Such is not the case to-day. There is grave economic distress, crops have suffered for some years and industry is in a precarious condition and it seems that the very existence of the community is threatened.

The Committee believe that the following measures are immediately necessary and they beg to place these here for consideration of those in power:—

1. Ruthless retrenchment of expenditure consistent with efficient and good Government.
2. The principle of decentralization should be introduced to the maximum extent possible consistent with good Government so that the people should know that for any thing they want to do they have to make a serious effort.
3. Recruitment to the State services of men other than natural-born Indian people should be stopped forthwith.
4. Total prohibition of liquor should be announced as the goal to be reached within say five years.
5. Urgent need of insisting on complete unity of Indian people and giving a goodbye to all direct or indirect recognition of communal and sectional lines.
6. Drastic and radical change in the structure of Government to make it responsible to the people and suitable to the time.
7. Complete Fiscal autonomy in order to enable the country to improve and strengthen its economic position.
8. Universal adult franchise.
9. Submission of the question of the public debt of India to an independent tribunal.
10. Repeal of Salt Act and virtual or total abolition of salt duty.

# Ahmedabad Millowners' Association.

The following is the text of the speech delivered by Sheth Chamanlal G Parekh, President of the Ahmedabad Millowners' Association at the Annual General Meeting on the 26th JULY 1930 —

Gentlemen, After strenuous labour of a year full of anxieties and worries we meet to-day in an atmosphere surcharged with grave and complicated issues vitally affecting the political, industrial and constitutional stability of the Indian nation.

I take this first opportunity to offer my sincere thanks to the office-bearers and members of our Committee who had to meet very often to deliberate over a variety of urgent and important questions and work with indefatigable energy and keen foresight. The work of the Association has increased to such an extent that the Committee had at times to meet more than twice a week. The amount of work done could be gauged from the fact that 65 meetings of the Managing Committee over and above the meetings of other sub-committees took place in the course of the year under review.

In my speech at the last year's Annual General Meeting I had placed before you a survey of the comparative position of local mills for the years 1925, 1926 and 1927. In 1928 the net profits of 59 mills were calculated to be 50 lacs. Out of these 10 and half lacs should be deducted on account of commission given up and losses incurred by some mills. The percentage of net profits against block account is roughly 36/17. The position would hardly be better for the year 1929 in spite of the hard efforts made by mills in effecting economies in various directions and in introducing machinery of the latest device, where possible.

We are passing through most anxious times. The whole of India is in a state of upheaval. Mahatma Gandhi, our Arbitrator and National leader, the apostle of peace and non-violence is interned and practically all other leaders and his lieutenants are in jail by now. The Government has adopted repressive measures all-round by promulgating several Ordinances, and Lathi charges under the screen of Law and Order are the order of the day. Public opinion has strongly condemned this policy and not only our Association but all National and Industrial Associations, Legislatures and political parties in the country have recorded their strong protest with Government in unequivocal terms. The net result of all this is that excitement and intensity of feeling run at feverish point running business all round. Normal conditions in all walks of life have ceased to exist and if the present situation continues for a few months more, there would be utter economical chaos in the country and the most powerful Government in the World will not be able to stand against its onslaughts. There is no Government in the World which can rule against the will of the people, for any long time, however powerful that Government may be, as there is no pleasure for those who rule or those who are being ruled and that Government is sure to fall.

The attitude recently disclosed by Government in India and Great Britain towards the solution of the constitutional problem which has become the sole ideal of the Indian Nation is far from satisfactory and fraught with deplorable consequences to both the countries. It is therefore very necessary to settle the constitutional problem without which both the people and Government will not live in peace. Government could not continue to rule over a vast country like India by harshly sentencing and imprisoning hundreds of non-violent national leaders, thousands of patriotic youths and even ladies of respectable families for holding different political opinions and resisting Government in a purely technical way.

All the political parties in the country have unanimously declared that the direct and honourable course of settlement lies in the definite establishment of Dominion Status without delay. Wise statesmanship demands a bold policy of conciliation based on a compromise settled with Mahatma Gandhi if the present struggle which will lead to very grave consequences is to be ended before it is too late. What is given with good intentions will now be appreciated ten times over and over; what is snatched after a fierce fight will leave the taste of bitterness for decades to come.

Indian Nation is not an ungrateful nation; if you do little for them with good grace it would be repaid manifold in many ways. When forecasts of further depression all-round discontent, growing unemployment, impairing of the country's credit and, disorganisation of trade and industry are looming large on the horizon, neither the Government nor the people will be saved from the unprecedented and grave crisis which will result as an aftermath of the present tense situation. Gentlemen, I trust wiser counsel will



prevail in good time before it is too late to mend matters.

Imports of cotton, yarns and manufactures for the 12 months from 1st April 1929 to 31st March 1930 are valued at 59.48 crores when the corresponding figures for the years 1927-28 and 1928-29 were 65.15 and 63.24 crores. Total imports of piece-goods were 1882 million yards in 1929-30, 1937 in 1928-29 and 1973 million yards in 1927-28. Production in India which was 2259 in 1926-27; 2357 in 1927-28 and 1893 in 1928-29 has gone to 2418 million yards in 1929-30. Total importations of cotton piece-goods into India for 12 months ending 31st December 1928 and 1929 were 1940 and 1958 million yards. The total for 4 months ending 30th April 1930 is 784 million yards. The imports of yarn and twists were 14 million pounds of which 20 millions were from the United Kingdom, 11 millions from China and 11 from Japan. Italian and Japanese yarn showed considerable increase as against last year. The total exports of Indian merchandise were 810.80 lacs as against 830.13 lacs last year and imports Rs. 240.76 lacs against 253.31 lacs.

Government of India passed the Tariff Bill to grant a sort of protection to the Indian piece-goods industry in March last. The question was discussed between our Committee and the Committee of the Bombay Millowners' Association and a Conference was held at Delhi in December last after the report on the Import Tariff on Cotton Piece-goods and on external competition in the cotton piece-goods trade prepared by Mr. G. S. Hardy was published. The whole position was placed before the Commerce Member by the representatives of all-India Mills. Subsequently a Bill was moved by Government in the Legislative Assembly which was strongly criticised by national leaders on the ground of Imperial Preference by the backdoor. Ultimately the Bill was passed. Cotton Piece-goods plain grey, i.e. not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain in length of more than 9 yards which is not divided by transverse woven headings: if of British manufacture were to pay ad valorem 15 per cent, or 8 and half annas per pound, whichever was higher and if not of British manufacture ad valorem 20 per cent, or 4 and half annas per pound, whichever was higher. For other sorts 15 per cent, ad valorem were to be charged for those of British manufacture and 20 per cent, for those not of British manufacture. This was to have effect only up to March 1933. Gentlemen, in spite of this protection, under the present circumstances, the industry is in the grip of a very serious depression owing to the effects of tense political atmosphere and stocks are held by mills to an extent which cannot but create serious anxiety. The fate of the textile industry is, as it were, hanging in a balance and it is very difficult to forecast the result of the year when the country is enveloped in darkness and gloom. The mill-industry is faced with a grave economic peril. The economic and industrial life of the nation is under a great strain. If Bombay is practically so paralysed as to create a crisis of serious magnitude by the closing down of some of its mills or by the curtailing of production by partial working it may naturally be assumed that Ahmedabad and other centres would also be under the economic pressure under which the whole of India would suffer subsequently. We are thus on the eve of a delicate situation which may culminate into a great hardship if political atmosphere remains strained and conciliation of national demand is not effectively met with.

Your Committee had to be very busy throughout the year with labour demands. The Labour Union put forward a demand for increase in wages to the level obtaining in 1923. The question was submitted to the Arbitration Board, consisting of Mahatma Gandhi and Sheth Mangaldas. Several statements and tables of statistics were submitted to the Arbitrators who by an Award dated 14th August 1929, rejected the demand of labour for the restoration of the cut of 1923, on the ground that the Labour Union had failed to prove that the condition of mills was so good after 1923 as to warrant the restoration of the cut. The Labour Union still persisted in their attitude of asking for some increase in wages on the grounds of cost of living etc. Both the Arbitrators having differed on this question it was submitted to Diwan Bahadur Krishnalal M. Zaveri as an Umpire. He gave an Award that "on a consideration of all circumstances, in the case of the spinners an increment of 8 per cent and of the weavers an increment of 5 per cent, be given as from 1st of January 1930, i.e., out of the cut of 15 and half per cent, 8 per cent (about half) should be restored to spinners and 5 per cent, (about one-third) to weavers." Gentlemen, this Award was accepted by us but the General Meeting of the Association adopted an unanimous resolution on 5 December 1929, and recorded its opinion that the Award was to be given effect to though the effects thereof were such as would hit the industry hard. Several questions about the holding of labour meetings in mill-premises, collection of Union's subscription, unauthorised strikes etc were tackled during the year. A Conciliation Committee consisting of myself and Mr. B. G. Banker has been appointed with a view to settle labour questions amicably. Questions which remain unsettled by

this Committee are to be submitted to the Arbitration Board along with certain questions of principle.

Sheth Ranchhodlal Amratlal, a prominent member of our Association and a staunch follower of Mahatma was arrested and sentenced recently in connection with political activities. The Association has put on record its great appreciation of the courage and self-sacrifice in the cause of the country. We all offer our hearty congratulations to him for his sacrifice.

Gentlemen, some 40 mills had filed suits against the Municipality for the latter having assessed mill-property on the basis of rules inconsistent with the provisions of the new Act. By the kind and sympathetic mediation of Mr. J. H. Garrett, the Commissioner N. D., the matter was discussed in a conference held at his bungalow in November last, with a view to settle it amicably. Representatives of both the bodies discussed the matter in all its bearings and ultimately through the good offices of Mr. Garrett a mutual compromise was arrived at. Under the terms of this compromise the amounts of taxes recovered from the mills by the Municipality for the years 1926-27, 1927-28 and 1928-29, on account of compulsory water rate including the excess charges were to remain as deposits with the Municipality for appropriation on the 1st of April every year towards the amount of the tax that may be legally recoverable by the Municipality from the Mills for the said years according to the revised taxation rules submitted to Government for sanction. The Municipality was to pay interest at 4 and half per cent. on the excess of deposits over the amount of tax so payable. The bills for 1929-30 were not to be issued and the giving of retrospective effect to the rules was agreed to without an admission on the part of the Mills of the Municipality's right to do so in future. On these terms the suits which were filed against the Municipality were to be withdrawn and each party was to bear its own cost. Gentlemen, Mr. Garrett deserves our best thanks for his kind efforts in the settlement of the dispute.

I am indebted to the Association for nominating me on the Technological Research Sub-Committee of the Indian Central Cotton Committee. I had discussed the question of Railway freights for nearly a full year with Railway authorities at Bombay. Certain inequities in freight from Port Okha to Ahmedabad and from Bombay to Ahmedabad were carefully considered and the Railway Company has from the 1st of this month reduced station to station rates (from Bombay to Ahmedabad) on certain commodities which are chiefly consumed in textile mills. The representatives of the Association tendered oral evidence before the Royal Commission on Labour in November last. The members of the Commission are at present engaged in the drafting of their report in England and I hope it will prove interesting to Labour and Capital. The Bombay Provincial Banking Enquiry Committee also recorded evidence of our representatives. An address was presented to His Excellency the Governor of Bombay in December. Our thanks are due to Sir Chinubhai Madhowlal, Baronet for giving us the central Hall of his Shahibag Bungalow for our use on that occasion. Mr. Arno S. Pearce, General Secretary, International Federation of Master Cotton Spinners' & Manufacturers' Association of Manchester gave us a visit in February and delivered a very instructive lecture before our members. A public meeting of all the commercial associations and Mahajans of Ahmedabad held under the presidentship of Sheth Mangaldas Girdhaldas Parekh adopted various resolutions strongly protesting against the incarceration of Mahatma Gandhi and demanding his immediate release against ruthless repression and hard sentences passed on Satyagrahis in the name of Law an Order, against inhuman atrocities committed by those connected with the Police and Excise on volunteers and ladies at different places, against Martial Law in Sholapur and against Press and other Ordinances. A resolution was also passed declaring the futility of the Round Table Conference without the approval and co-operation of Mahatma Gandhi. Other resolutions regarding the formation of a Chamber of Commerce in Ahmedabad, adverse effect of the Exchange on indigenous commerce and industry, the encouraging of Swadeshi industries and about the use of Swadeshi cloth were also adopted.

In conclusion, gentlemen, I heartily thank you for your kind and continued co-operation. You are all aware that an all-round increase in the activities of our Association and an increase in the burden placed on our staff which has worked under heavy strain necessitated a revision in the old scale of subscription in the current year. At present the scheme of the Swadeshi Sabha in which practically all the members of our Association have joined has been approved by the Congress and different committees are busy doing spade work with a view to put it on practical and progressive lines. I hope the scheme will have the desired results in the interest of consumers, dealers and manufacturers. I again warmly thank you all and request you to proceed with the business of the meeting.

India in Parliament

and Abroad

Jan.—June 1930.



# Indian Debate in Lords.

HOUSE OF LORDS—28th. MAY 1930.

On the 28th. May 1930 in the House of Lords, *Lord Peel* called for a statement on the recent disturbances and illegal activities in India. While agreeing with the necessity of very fully supporting the Government of India, he asked for an indication of the weight and gravity the Government attached to disorders. He also asked how far trade was being affected. He agreed that it was useless attempting to conciliate the revolutionaries. He suggested striking at the Congress Committees themselves if it was held that they were responsible for organising outbreaks from a common centre. He concluded by paying tribute to the loyalty and courage of police.

*Lord Reading* joined in the tribute to the police and military. He agreed that there was the necessity for unqualified support to the Viceroy. He emphasised the need for using every weapon to destroy civil disobedience which had struck at the very heart of Government. He said that the problem could only be effectively tackled by action against those responsible for spreading the doctrine of mob rule.

“Permeated with False Race-Pride.”

The *Marquess of Zetland* emphasised the importance of ensuring Britain's case based on unassailable foundation of justice and righteousness. Consequently, he thought that the Viceroy was right in receiving Mahatma Gandhi in winter; but he considered that Mahatma Gandhi was so permeated with false race-pride that he would prefer to wrest from the Government of India a crust rather than accept a loaf voluntarily offered. Whether Mahatma Gandhi was sincere or not, the results of his preaching were not open to doubt. But undermining respect for law was not the only injury he had done. He had caused many people in Britain to doubt the wisdom of further concessions and even to urge drastic curtailment of those concessions already made. Lord Zetland emphasised that such a course was impracticable, and would condemn Britain as bankrupt in statesmanship. The Government's duty was not to heed to such counsels of despair but to advance steadily and firmly on the path marked out by all parties. Paying tribute to the police and the military, Lord Zetland asked for an assurance that the British and Indian Governments were satisfied that they had adequate resources at their disposal.

“What is the Policy of Government?”

*Lord Lloyd* hoped that acknowledgments of the behaviour of police would hearten thousands of men in India who were gallantly carrying on at present. He considered that the gravity of the situation lay less in disturbances than in causes. He asked how far the Government considered that the movement was fomented by the Third International. He declared that the Government seemed to think that they could follow a stolid policy with regard to Russia in Britain and not feel its effect in the East. Lord Lloyd expressed the opinion that it was difficult for the peoples in India to understand what the Government's policy was going to be. He suggested that the position

and functions of the Round Table Conference should be made clear. He concluded: "The best atmosphere for the consideration of the Simon Commission's Report would be created by the Government restoring law and order as rapidly as possible, remembering that the masses of people were more important than the consideration of political feuds of minority."

#### Suspicion of Hidden Hand.

*Lord Russel*, replying, traced at the outset the course of events since the beginning of the troubles. After paying a tribute to the loyalty of the Indian army the conduct of which had been exemplary and the behaviour of the Indian Police, Lord Russel said that the Government of India suspected that troubles had been organised and directed from behind, but he was unable to say at present that there was definite legal or satisfactory evidence justifying the action against Congress committees. Lord Russel considered that probably a large number participating in riot were really deluded people who honestly believed that they were helping the country's cause in some mysterious way. They were hardly in the same position as those who were consciously seditious, and were really deserving of pity. Pointing out that the Government resorted to firing with the utmost reluctance and only when it was absolutely necessary, Lord Russel considered that the greatest restraint and infinite patience had been shown, and nothing was done except when it was necessary to preserve immediate law and order.

#### What Govt. Feels?

Lord Russel, continuing, said, that the preservation of law and order, although it was the primary and essential function of the Government, was in no way ultimately the most important thing. The Government felt that the most important thing was to do everything possible to meet the genuine grievances and make any advance that could properly be made. He thought that probably all races in India desire some advance in self-government; and the Round Table Conference was designed to enable the freest expression to be given to that feeling. No fuller and franker offer could ever have been made. It was a matter for the greatest grief that it had been met by the civil disobedience campaign which, however, had not deflected the Government from their purpose; but, unfortunately, it had had the indirect result, when necessary repressive measures were taken, of apparently alienating at the moment some of more Moderate opinion in India.

#### No Evidence Against Russia.

Referring to Russia, Lord Russel said that as far as he knew they had no evidence that Russia was behind the movement. It was a matter on which evidence one way or the other might later be obtained: and the people might have their own suspicions. But he could only say at present that they had no evidence. He added that it was impossible at present to estimate the effect of the disturbances on trade. Concluding, he asked the House to agree that the Viceroy who was placed in a very difficult position had behaved with immense patience and had done everything possible to conciliate. The Viceroy had already been told he had complete, full and unstinted support of His Majesty's Government and Lord Russel was confident, he would add, of the House of Lords also.

The debate then ended.

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# India in Parliament.

## Debate on the India Office Estimates.

HOUSE OF COMMONS—26th. MAY 1930.

The debate on the India Office estimates was opened by Earl WINTERTON who opined that the debate would show that the house generally supported the Government of India in measures that were being taken in a difficult time to maintain law and order. Earl Winterton expressed his approval of the ruling given by the Chairman of the Committee to the effect that the Simon Commission must not be discussed. He proceeded to examine the course of what he described as the Gandhi-cum-Communist movement and expressed his conviction that whatever the terms of the Viceroy's announcement of last year or whether he made none whatever the Extremists would not come to terms with Moslems and other minorities and except in certain districts they had no real contact with the peasants. Therefore even though the movement was based on Sinn Fein there was not so much substance behind it. Alluding to suggestions for parley he said there must be no harm in parleying even with extremists in time of tranquillity but it would be useless and dangerous when they were breaking laws.

Earl Winterton proceeded to refer to external influences which he said had been working in India in the last few years and requested information on the steps to be taken to deal with them. He paid a tribute to the patience and loyalty of the Indian police and believed that their record of the last few weeks had almost exceeded the fine record of the past years. He urged pensions for dependents of those killed and allowances for the injured and hoped that the Government would insist on voting an adequate payment to the police in future.

Colonel WEDGWOOD expressed the opinion that the real trouble was due to the exclusion of Indians from the Simon Commission. He said it was difficult to see how Lord Irwin could have acted differently under the present circumstances. But he feared it would be impossible for the Round Table Conference to put matters right. He also feared that the report of the Simon Commission would not go to the length expected by the Indian people and everybody in India would consider that he had been let down. Col. Wedgwood urged steps to restore the feeling among Indians that justice was still possible and the Commons could still be regarded as the place where Indian grievances could be remedied. He urged the Government to treat arrested persons as peaceful passive resisters and suggested their segregation in some place from where escape would not be too difficult. The hope for India lay in treating the country as one problem. They had failed hitherto but he hoped they would still be able to make Indian democracy worthy of the Indian people.

Mr. WARDLAW MILNE thought that members, whatever their political opinion, must support the Government of India and the Viceroy in ensuring maintenance of law and order and urged that if Britain was not prepared to consider the idea of an entirely independent India they should say so immediately. We should make it clear that we did contemplate India as a self-governing country outside the Empire and progress towards self-Government must depend on India itself.

Mr. WEDGWOOD BENN, the Secretary of State for India said :—

"It is not too much to describe the issues on the consideration of which the Committee is engaged as momentous and even vital to the future of the British Commonwealth. Despite some criticism which at times has been made, it has been the desire of the India Office to give the House and public at every stage the fullest possible information on all matters concerning India and on all events that have happened there. I propose now to supplement as far as it is within my power such information at the request of those who have spoken or may speak, that we should maintain a sense of perspective. A thing may be very interesting to us at the moment but by concentrating on it we may lose the full view of the picture. Therefore, with the permission of the Committee, I propose to give in general and in very thin outline some account of the recent events of all sorts in

India and in that account I shall attempt to inter-leave answers to the questions that have been put to me. When we have a picture so presented we can deduce some idea of the general causes of the trouble which are evident at the present moment and then, so far as the limits of the debate in the Committee of Supply allow, I shall say a word or two about Government's policy in Indian affairs.

"As the Committee well knows I am a beginner at this subject. I have been now about a year an observer, a studious and certainly most interested observer, of the events in my charge. I should be certainly failing in what I wish to do if I did not here pay a tribute to the services of officials in the India Office. No body of public servants have a better knowledge or exhibit a finer public spirit and in this connection I would ask to be allowed to say a word about the loss which is about to fall on the India Office in approaching retirement, at the age of 60, of Sir Arthur Hirtzel. He has served no less than 36 years in the Office. He was Private Secretary to the great Secretary of State Lord Morley and he served then for a time in the important position of Political Secretary and now for six years he has been acting as Permanent Under-Secretary of State. Earl Winterton is able to bear his personal tribute to Sir Arthur Hirtzel's services over a much longer period than I can. But I should like to say how much I owe to him personally and how great is the loss which the State has sustained in the retirement of a public servant, not only of high qualifications but of deep selflessness and regard to public and not to private interests.

"Now we here read in newspapers a good deal about events in India and it is the business of newspapers to collect news of the events which are likely to interest public, but, despite the headlines and stirring accounts of the serious events which have been occurring in India, I would like to remind the Committee that a vast majority of the people in India, even in urban areas and certainly in rural areas, pursue day by day their avocations under the benevolence of settled and ordered Government, carried on, I must remind the Committee, by a Governmental machine which though it is true may have been designed by British hands, is at the time, largely operated by Indian hands, not only as regards positions of high control but, of course, almost exclusively in the subordinate branches.

"In order to get a true picture of the operation of the machinery of State in India to-day the Committee will perhaps permit me to deal briefly and statistically with some aspects of the national life.

#### India's "Solid" Financial Position.

"Let me take first the question of trade and finance a very important index of the condition of the country: There are few countries in the world that, in the matter of external trade, can give a better showing than India last year. Private trade in merchandise showed a favourable balance of 58 million sterling and in each of the four preceding years the favourable balance was at least equally good. As regards public revenue, and expenditure, last year's budget closed with a balance on the right side and, although it was found that, on the basis of the existing taxation, the budget for this year would present a deficit, the Government of India, with the support of the Assembly and Legislature, presented a budget which will show at any rate a balance and perhaps a surplus and will maintain in the eyes of the world the solid financial position in which India has always stood.

"The Committee are aware that, in the last week, Government floated a loan of 7 millions sterling which was over-subscribed and here is a very interesting fact that the price of Indian securities on the London market is higher now than it was on 1st January last, despite all events which have occurred in the meantime. It is just as well to consider these matters if we want to get a full picture of the situation and these are very important points because the price at which you can borrow money governs the rate of interest which you have to pay and the charge which you have to lay upon people in order to pay it. It is something therefore that we can say that the position is as satisfactory as that which I have been able to describe. Although there is large public debt in India 80 percent is represented by the productive assets of Government-owned enterprises such as railways, valuable property, which is not only constantly being developed but which makes contribution from year to year to the general revenue.

#### Railway Development.

"I think it was Earl Winterton who asked me the question about the electrification of railways. I have been able to obtain some particulars for him as to the progress of electrification. I am told that the electrification of suburban lines in the Bombay area has been



completed and that the main line from Bombay to Poona is in course of electrification. Provision is being made for the electrification of Madras suburban lines and it is expected that these will be completed in year 1931-1932. The project for electrifying Calcutta suburban lines is still under consideration. I hope that the statement gives the noble Lord the information in that connection for which he asked, but no less important than the railways to which, in the course of the past five years, 2,300 miles of new lines have been added and on which more than a hundred millions sterling capital have been expended, is the work of irrigation. That work is important because it supports India's main occupation of agriculture and by increasing the purchasing power, which is very low indeed, of the peasants, it does provide a market for the products of India's growing industries. I think it was the noble Lord or one of the other speakers from the Opposition side, who asked me for some particulars about irrigation in the last few years. I am not able to give details for the last year separately, but I will give some very remarkable facts of the whole story covering the general field.

"An area of 28 million acres or nearly 13 per cent of the total cropped area has been brought under irrigation at a cost 75 millions sterling and when the schemes now under construction, including the Satley Scheme in the Punjab and Sukkur Barrage scheme, are completed the total area under irrigation will be nearly 40 million acres. As I go along I fancy I am providing an answer to the question which was addressed to me by the Member for South Molton (Mr. Lambert) at question time to-day.

#### Trade and Industries.

"As regards trading and industrial position generally, let me give these facts to the Committee. During the last 20 years India's over-seas trade has nearly doubled. In the same period the number of jute mills has almost doubled and the production of tea and raw cotton increased by 50 per cent. The production of coal has increased by more than 50 per cent and the production of woven cotton is more than double what it was 20 years ago and here is an interesting point

"I know some of my honourable friends may see that, while this represents increase in wealth, it does not necessarily represent increase in the well-being of workers. They may say that it is not sufficient to speak about the amount of wealth, but I should say something as to how it is distributed and I will give another figure which bears on this point.

"In agriculture, the number of members of Co-operative Credit Societies increased in the same period from 300,000 to three and half millions. I hope Honourable Gentleman who are interested in the Indian peasant, who rightly desire to do something for him—and I share their view—who desire to uplift the Indian peasant or the Indian industrial worker, will not, in the meantime, overlook the great and beneficent work which has been carried on, not by Englishmen alone, but by Englishmen in co-operation with Indians, under the constitution which exists in India at present."

#### The Cotton Duty.

"Speaking about the budget, I should like to say a word about the subject, which, I know, has been intensely unpopular with many members of the Committee. I mean the increase in cotton duties. The Government of India made a proposal that the duties upon cotton goods should be increased from 11 per cent to 15 per cent. At the present moment, with the state of trade being what it is in Lancashire, and the difficulties of unemployment what they are, no proposal could be more difficult for the British industry. What happened? The Committee are well aware that the Joint Select Committee which examined the Government of India Bill in 1919 laid down this principle, that when the Government of India, which is not a Government responsible to the legislature—it is irresponsible in that sense—that when the Government of India was in agreement with the legislature of a tariff, then the Secretary of State should refrain from exercising these general powers of superintendence and control which have been given him by the Government of India Act of 1919. I thought it my duty, and I was much criticised by the many Honourable Members of this House who represent cotton interests of one kind and another, but despite that criticism, I believe it was my duty and I discharged that duty to observe, both in letter and spirit, that convention of liberty for the Government of India acting in concord with the legislature.

"Something happened which was without precedent in the history of the relations between this country and India. I was stopped by this convention from interference but the British Cabinet approached the Government of India and legislature in exactly the same way as they might approach the Government of any Dominion. They put before the legislature of India and the Government the difficulties which this increase in

the cotton tariff might inflict. The Government of India and the legislature considered them and replied that, willing as they might be to assist us in our difficulties, they had their own case to consider and they were unwilling to concede, and unable to concede the request made by this Government. The increased cotton tariff was made because it is a fundamental principle in our relations with India that Indian interests must come first and it is impossible to regard India—and I shall refer to this again in a moment—as some possession to be exploited in British interests, whatever that British interests may be. I know that some critics in the Assembly went further and said it is not tariff autonomy, if tariff autonomy involves full responsibility of the Government and the Assembly or the legislature. That is a different point and I express no opinion about it. But I do ask the Committee to note what occurred namely, the increase in tariff, the approach by Government to Government, the consideration of the matter by the Government of India, their rejection that dotted the P's and crossed the T's of the convention, the appeal made by the British Government and the imposition of the duty in the interest or supposed interest of India. I say that there you have the fulfilment of the growth of autonomy, which is not the least important element in developing relations between this country and the Indian Empire.

#### Industrial Legislation.

"I would like, before passing from the question of trade and commerce, to say something about Labour legislation and about the general position which is occupied by India in this matter. I think it is true to say that in the last ten years more progress has been made in industrial legislation in India than in the preceding fifty years. I am very far from saying that things are what they ought to be. Anyone who reads of the conditions in some of the mill areas in India must be inspired by a desire that something should be done, but if we desire to do better do not let us decry what has been done. Do not let us forget that, in regard to industrial legislation the reputation of India stands very high at the International Labour Office at Geneva, and, in that connection, I should not fail to pay a tribute to that very remarkable Indian statesman, Sir Atul Chatterjee, High Commissioner for India, in this country and representative of India at Geneva. He has not only established a reputation for himself but has added very much to the international renown of India at Geneva, where she stands as an original member of the League of Nations. Further, I would like to say a word, perhaps an anticipatory word, about the work of the Commission under the chairmanship of our distinguished ex-Speaker Whitley. It is true that they have not yet finished their labour. Mr. Whitley assisted by trusted leaders, both Indian and British in the Labour world has made visit to India and is in the process of discharging his task:

"His commission has been very well received. With one or two trifling exceptions everybody has been willing to co-operate with them and although it is true, it has had no time as yet to make its report, it is true to say it has achieved this result that the very presence and journeying of the Commission throughout India has done much to improve the relationships and bring the people together with a view to the betterment of the Labour conditions. I am certain I should carry the committee with me when I pay this tribute to the work of Mr. Whitley and his commissioners, both Indian and British."

#### Condition of Indians Overseas.

"As the Committee knows, Indian labourers, on account of their valuable qualities, are very much sought after as immigrants in various parts of the world whether in Fiji, Ceylon or East Africa, and, at one time, South Africa or in parts of South America. Their presence is eagerly welcomed and I would like to remind the Committee that the welfare of these labourers is very much at the heart of the Indian legislature and the Government of India and when these questions come before the House I would bespeak in advance the sympathy of this House for the Government of India in the fight it has to put up to protect the interests of these citizens who are labouring overseas."

#### G. M. C. Ban on Medical Degrees.

"On the subject of Indian medical degrees perhaps a word might be accepted. The Committee knows that the General Medical Council, after considerable discussion—the point has been raised many times in the recent years—decided that, unless the Commissioner of Medical Qualifications and Standards was appointed—Col. Needham was designated for the post—to appraise, so to speak, the standard of medical education given in the various Indian medical colleges, they would be unable to continue to recognise the Indian Medical Degrees. Owing to circumstances which I need not further describe,

that appointment was never completed and the result was that the General Medical Council felt compelled to withdraw their recognition of Indian Medical Degrees. This is a most unfortunate thing, both for Indians and British, and the problem is urgent and is being urgently studied by the Government in the hope that by the creation of some All-India medical organisation, some sort of an authority may be created, which manned and staffed in India, may be able to give these guarantees, which the General Medical Council considers requisite before it can give recognition to the Indian Medical Degrees. That something may be arranged at the earliest possible moment is in the interests of both India and this country alike.

#### "Self-Government" Under Present Constitution.

"In a general way may I say a word about the development of the relations between the Home Government and the Government of India. The growth of self-government in the British Commonwealth has been various in form. Sometimes it has come after clash and conflict. Sometimes it has come by peaceful, almost imperceptible, development. Sometimes it has come by a statute—once it came by a treaty. Sometimes it has come by..... and in this connection I would remind the Committee of the view expressed by the Joint Select Committee of 1919, who said that in their opinion where the Government of India and the legislature were in agreement in matters touching purely Indian interest the Secretary of State might consider the propriety of abstaining, in fact they recommend that he should abstain, from interference. That, I consider, is a sound indication of opinion and upon that principle, so far as it is a principle, I have attempted to act in the few months in which I have been responsible for this office. It means this, that the Government of India is looking more and more for approval and support to the legislature and the Indian public opinion and, though it may be embodied in no clauses and no schedules, that, in itself, is a real, effective and I believe lasting growth in the measure of self-government which India, even under the present constitution, possesses.

#### Loyalty of Indian Troops.

"Passing from these civil subjects to the matter of the forces, I will give the Committee some few particulars which may be of interest. The military forces in India consist of the Army, Air Force and Royal Indian Marine. As regards the Army, there has been no material change in the strength since the Army was reorganised after the war. If further particulars of numbers and so on are desired in the course of debate I shall be very happy to submit them to any member who may care to ask for them. I would remind the committee again in reference to the Indian Army of the very remarkable tribute paid to steadfast spirit of hopes in the Indian Army by Sir William Birdwood in a telegram which I read to the House some few weeks ago. The telegram reads:—"Gen. Birdwood assures me, from his long and intimate experience of Indian Army and after seeing a host of Indian Officers during his recent long tours, that he is fully satisfied that the Indian Army is thoroughly loyal and he feels sure that the Garhwali incident will turn out to be an isolated incident."

"A member asked a question to-day as illustrating how reports are perverted to bad use about the disbandment of a battalion. He is under no misapprehension, about the reason for the disbandment of the two battalions in question, but others had used what was an ordinary rearrangement of military forces in order to spread a story which is absolutely without warrant. The Committee might wish that I should give them some account of the process of mechanisation in the Indian Army. We have now mechanised two divisional trains, two divisional ammunition columns, also the cavalry brigade train and ammunition column of another field artillery brigade.

"Another noteworthy improvement is the replacement of bullock-drawn ambulances by sixwheeled motor vehicles. This is an achievement and I would make some remarks about the desirability of making mechanisation suitable to conditions climatic and topographical, of the country in which mechanised units are to work."

Earl Winterton: "Has mechanisation proceeded on the lines of standardising as much as possible vehicles used, that is to say both armoured cars and cars for transport?"

Mr. Bann: If I understand the questioner aright—I am not a soldier—I should say, yes. But in order to be perfectly accurate, I will have the answer prepared to the question.

"As the committee was aware, an arrangement was come to whereby the military budget in India was stabilised for four years. It has now been extended to 5 years at 55 crores, say 41 million sterling and it is hoped that the Army budget will come down under the present estimates by 2 and half crores to 52 and half crores.

As to the Air Force, there are eight squadrons, including two heavy transport aeroplanes which played such notable life-saving part in the evacuation of civilians from Kabul in the disturbances about sixteen months ago.

#### Royal Indian Marine.

As to the Royal Indian marine I would like to say a word because it is extremely interesting and a promising development of the Indian Defence Forces. As the Committee knows, it has lately been recognised on a combative basis under the control of Admiral Walwyn. What I am particularly interested in and pleased to tell the committee is this—that, already, there is one officer an Indian Engineer sub-Lieutenant and that two have passed for Engineers' branch and are now under training and three appointments have been offered for competition among Indian boys of the Mercantile Marine training ship "Dufferin."

"The actual material is not on a very large scale. There are three sloops besides one under construction, a depot ship and a number of auxiliary crafts. Following the excellent precedent which had been set at other times, India was represented at the National Conference by a separate delegation under the leadership of Sir Atul Chatterjee and the Committee will be interested to know that in the Naval Treaty special provision is made regarding one of the units in the Indian Naval forces, namely "Olive", which figures in the list of "special ships" to be exempted.

"What is more interesting than that and what touches the subject of Indianisation (very dear, I know, to many members of the Committee and not the least to that of the member for Central Hull, Com. Kenworthy) is Admiral Walwyn's estimate of how they are getting on in Royal Indian Marine. I would like to read some extracts—

"Officers of the Royal Indian Marine are excellent. They are very keen on their service and only too anxious to be told in what, to my mind, they have been wrong. They are rapidly working up gunnery tactics and will do very well. I am most favourably impressed with the men. Their discipline and bearing are excellent and their behaviour on shore exemplary. They are keen and take the greatest interest in friendly exercises. Good at boat work. I consider the present boys under training to be ideal for sea service. From what I have seen of cadets of Indian Mercantile Training ship "Dufferin" I will be delighted to have the best of them for the Royal Indian Marine. I see a great future for the Indian youth, who joins this service with his heart in it."

"Here you have a force in which a British Admiral in Command finds ready use for Indian talent and that is a matter on which I think we might find common ground in rejoicing."

Mr. Brockway: "But under British control to be used for British purposes."

Mr. Benn: "My honourable friend is not giving full facts in making that statement and I would point out to him that, when, in pursuance of the Naval Treaty, the question of the Commonwealth is to be discussed India will be represented with other Dominions in the discussions that will ensue. At the Imperial Conference, India will be represented by me and by representatives of India."

"Having touched a few points concerning the general administration of affairs in India I come to the subject which has formed the main topic of the debate to-day.

Earl Winterton: "Will the Right Hon'ble Gentleman refer to the question of Wana, which is very important because it forms the apex of the Frontier defence? Can he assure us that the occupation is either in existence or that it will be?"

Mr. Benn: "A battalion has been there since last October."

#### Mahomedans and the Movement.

"I now come to the question which has been the main subject of interest to the members, namely, the recent disturbances which have taken place in India. I have attempted to give the House the very fullest information available but let us see the case in its perspective. Do let us see the whole position in perspective, even as regards these disturbances. I will deal with the underlying causes in a moment but, leaving out of account the smallest incident, what are the facts? In Bengal there have been serious disturbances in Calcutta, Mymensingh and Chittagong. In Bombay area there have been disturbances in Bombay City and in the salt depots in Surat district. There have been disturbances in Madras City and at Karachi and gave rioting in Delhi. I will speak about the North-West Frontier province in a moment. Except in Gujarat area the disturbances have been confined to urban districts. It will be observed also that, generally speaking, although it is not universally hundred per cent the case, Mahomedans have held aloof."

Mr. Marley : "Is not Peshawar a ninety per cent Mahomedan province?"

Mr. Benn : "That's true; but generally speaking Mahomedans have held aloof and it would be fair to say that the disturbances may be described accurately as sporadic rather than general."

#### Government and Working Committee Resolutions.

In some recent resolutions passed by the Congress Working Committee at Allahabad the proposal is made that these disturbances should extend so as to organise non-payment of land revenue and taxes and breaches of forest laws and with appeals to the Government servants to abandon their posts. So far, however, these resolutions have not been put into effective force and it is not the intention of the Government that they should be permitted to be made.

#### Peshawar and N. W. F.

"I would say a word, as I promised, about the position in North-West Frontier Provinces and in the tribal areas. A very full communique was issued on 5th May which dealt with the occurrences at Peshawar. Since these disturbances of April 23 the City has been quiet and normal life has been or is being resumed but, outside Peshawar, a centre of disturbance was caused by a leader called Haji of Turangzai and his son, who have settled themselves in some hills to North-West of Peshawar. As I told the House immediately at the time air action was taken against them and is proving effective. It is true to say that their attempt to raise disturbance among Mohmands has been unsuccessful. The Afridis are taking no part. It is true there was a "Lashkar" or military assembly of 500 for some time at Gandao, but nothing came of it.

"The attack which was made on the British post at Datta Khel was described to the House by me immediately I received information concerning it, but a "Lashkar" engaged in that operation was dispersed.

"A joint Jirga of Mahsuds and Shakai Wazars was held in order to decide the attitude of tribes but only a small section showed any hostility to the Government. Wana Wazirs are quiet. On the whole it may be said that the tribal situation is greatly improved and a favourable sign is that there has been no hostile movement of any tribe at all. This news will, I am sure, be reassuring to the Committee, but even if it be reassuring to the Committee, I am looking at the matter from Indian standpoint and am perfectly certain that it is no less reassuring to Indians themselves. I cannot imagine anything that could be done more dangerous to the Indian interest than to stir up trouble in this quarter.

"I cannot help, in passing, making an observation, that, as was announced in a communique, one of the arguments in the propaganda of Communist speakers in this district was this. They went among Mahomedans and wilfully perverted the purpose of Sarda Act or Early Marriages Act. That was introduced by a distinguished Indian and supported by much of the best public opinion in India and ostensibly by the leaders of the Congress themselves. Then it is passed. Not by a description of the Act—far from it—but wilful misrepresentation of what the Act meant, they succeeded in using it as a weapon.

Mr. Brookway : "Has the Right Honourable Gentleman seen the very strong denial of that report on behalf of the Indian National Congress?"

Mr. Benn : "I can only give the Committee information which is supplied to me. I have not seen that denial, but I would be glad if the Honourable Gentleman will bring it to my notice and we will weigh it. Remember, I am not making a party case against anyone. I am trying to arrive at facts. I believe I am stating the facts to the Committee, when I say that this Early Marriage Act or a misrepresentation of its purpose, was made a weapon for stirring up trouble among Mahomedans in that quarter. So far as conditions of the other side of the frontier may affect our position, we are confident that, in King Nadir Shah, we have a neighbour who will maintain the highest traditions of neighbourliness.

Sir Robert Hutchinson : "Has the Right Honourable Gentleman any statement to make on the reasons for the original outbreak?"

Mr. Benn : "The appreciation of the situation has, from time to time, been prepared by the Government and published but the Honourable Gentleman will know that a special inquiry into the causes of the outbreak is being held by two judges, one a distinguished Mahomedan. I will be glad to give him full information. In addition to that there is a military inquiry going on into the incidents connected with Garhwalis.

"In the face of the events I am leaving out of account the general description of finance and trade and so on and dealing only with this matter of the disorder. What is the duty of the Government? There is a movement which is intended to bring Government to an end. What is the duty of the Government?"

Mr. W. J. Brown : What is the duty of a Labour Government ?"

Mr. Benn "The duty of the Labour Government is to carry on the government."

Mr. Brown "I do not know what the Honourable Gentleman means. If I might reply, I would say that the last thing a Labour Government ought to do in India is to carry on the dirty work of British Imperialism (Honourable members "shame")."

#### Mr. Benn's Tribute to Officers.

Mr. Benn "I give way to the Honourable Gentleman and this is the place where his views should be expressed and I shall endeavour to meet them in argument. I make no complaint of his criticisms. Does my honourable friend think that these things have not been a source of deep interest to me? If he does not let me deal with the case, I say that it is the duty of a Government to carry on the Government. I will justify the whole position as far as I can and then leave him to deal with it. In this connection, I should like to pay a tribute to men, who have been engaged in a difficult and dangerous work, in the majority of cases Indian officers and men themselves. I had to announce to the House at question-time the lamentable news of the killing of a British officer on the Frontier. It is very well for us and for me to speak about carrying on the Government. I should be a poor thinker if I did not express my sympathy and my support to the men who are carrying on personally dangerous work and I will extend that to District Magistrates, who have to make difficult decisions, to the District Officers, to the Local Governments and to the Government of India. Let me say that, in this matter as in all others, there never has been, and there is not, between the Government and the Viceroy anything but relations of the warmest understanding and strongest support".

"The Honourable Gentleman, speaking in a theoretical way, spoke about this work, which is being carried on. Is peace being maintained in the interests of some external agency? Is not peace being maintained in the interests of India itself? I do look forward to the day when Indian liberties shall be enlarged and when India shall take her place as a fully self-Governing Dominion among other Dominions of Empire. It is for us to hand over to her a legacy of anarchy and chaos?

Mr. W. J. Brown "You are creating one".

Mr. Benn : "We shall see about that. If extraordinary powers have been taken they have been taken with the greatest reluctance. Let me remind him what did happen. When I entered office my most passionate ambition was to get rid of these extra-ordinary powers which existed in Bengal under the Bengal Criminal Law Amendment Act. I saw the persons concerned and talked it over with them to see what could be done and we decided to do without them. On first April that Act was repealed.

"Within nine days a murderous outrage took place at Chittagong—men approaching unsuspecting sentinals and killing them—and we were compelled to re-impose for six months the powers with which we have had so joyfully dispensed. Does my Honourable friend say we were wrong. Can he say that we are wrong? I say, in maintaining peace, we are doing so in India's interests. These exceptional powers are introduced for emergency and will disappear with the emergency, but the disappearance of the emergency is not a matter that we can help. We must await the restoration of normal conditions. It does not lie in our hands. It lies in the hands of those responsible for the disturbances.

"Having said all that let nobody in the Committee think that we regard force as being a remedy. It cannot be a remedy. We are compelled to maintain order. It cannot become a remedy. Our difficulties only becomes greater. The moral basis is that peace and quiet are maintained in Indian interests, in order that, in that atmosphere, constitutional enlargement of liberties of Indians may take place. We are not dealing merely with an ordinary outbreak of lawlessness. If we were dealing merely with lawlessness the task would be a very simple one. We are dealing—I do not know whether it is fully realised in this committee—with an insurgence of national and racial aspirations.

"It may be perfectly true to say that all but a small number of Indians disapprove of the campaign. It may be perfectly true to say that minorities are looking anxiously to what their position may be under any new constitution, but it is equally true to say that Indians of all races and classes are looking for progress in the satisfaction of their desires. They are looking for the disappearance of manifestations of race superiority and recognition which is indeed vital to the stability of our commonwealth. It is idle, therefore, to complain if patriotic Indians, whilst condemning the attempt which is proceeding to organise anarchy in India, have also expressed in the most earnest fashion their own desire for great constitutional enfranchisement.

"A Great State Document,"

"Now to recapitulate the aims of British policy in relation to India. First, there was the Montagu Declaration. Then there was the Viceroy's statement on first November last, in which he declared that, in the opinion of His Majesty's Government, it is implicit in the declaration that the natural issue of India's constitutional progress as there contemplated is the attainment of Dominion Status. This House, under its own Act of 1915, laid upon the Statutory Commission the duty of exploring and reporting. Its functions were well described by the Chairman when he said that the present Commission is only authorised to report and make recommendations. It is not an executive or legislating body authorised to pronounce decisions about the future Government of India. That task is now concluded and within a few weeks we shall have in our hands one of the great State documents of our time."

"The next stage is the Conference to consider the question of constitutional advance in co-operation with those who can speak authoritatively for the opinion in British India and Indian States. As the Viceroy has said - "It is as unprofitable to deny the right of Parliament to form its free and deliberate judgments on the problem as it would be short-sighted of Parliament to under-rate the importance of trying to reach a solution which might carry the willing assent of political India."

"That policy stands. The goal is accepted. It is accepted by all parties in this house. But there are great difficulties on the way of it. Does anyone deny that there are great difficulties on the way to the goal? These difficulties do not exist exclusively or mainly on this side. They are largely Indian difficulties and it is from Indian opinion that we must seek a solution of the difficulties. I will make bold to say that, if in this conference, substantial agreement is reached no Government would be likely to ignore its work, when it came to present its proposals to Parliament. To launch at this moment a campaign of civil disorder, which often involves suffering for innocent non-participants is merely to add to the difficulties which were inherently sufficiently stubborn and insurmountable. Among the obstacles to which I refer none is more insistent, none more difficult than that affecting the future position of the minorities."

"It is evident that no settlement can be considered satisfactory which does not carry the consent of, and give a sense of security to, important minority communities, who will have to live under the new constitution. How is that problem to be solved? There are some who rely on the archaic maxim "divide and rule". That is not the principle upon which our Commonwealth has been built up. Our Commonwealth has been built up by teaching persons of various interests and various races that in the bond of union exists liberty to develop in their own way their own capacity. It is of no interest to us that these difficulties should persist. Our interest is to see them solved and they must be solved amongst Indians themselves. Attempts are being made to arrive at a solution and, as I say, it is the highest imperial interest that a solution should be found, but it is really useless to employ mere words as if they could find a solution. A solution, a real solution, we do most earnestly desire."

India as Britain's Market.

"There are other difficulties. I refer to one school of thought which presents this view that India is a market to be exploited by or on behalf of British interests. I say that were such a belief held by any large body of opinion in this country the days of British connection with India would be numbered. What is the principle on which our influence has been extended over such large tract of the globe? It is that, by voluntary co-operation, the interest of each served by a union of all. Any policy which sets before the Indian any ideal save the Indian ideal, by which I mean the welfare of all those of whatever race or colour whose interest is in India is foredoomed to failure. How long would this Empire last if this doctrine, which some seek to apply to India, were attempted to be applied even to the smallest fragment of the self-Governing Empire? Who would desire to see the Empire built on the principle of exploitation of one race by another? What moral justification could there be for a structure of this kind? Does this mean that self-Governing India will make a lesser contribution to the economic prosperity of these islands? Not at all. That such is not the case is proved by the abounding trade and commerce we enjoy with self-Governing Dominions. The essence of profitable trade relations is goodwill. All the strong hands and iron heels cannot compel Indian peasants to buy British goods. Goodwill and good understanding are the keys to open the gates of the market place."

"We ask ourselves, can any good come out of the tragic happenings of the last few months? I say that some good may come if they result in the quickening of the two peoples. The Indian people are responsive to idealism. Behind our western reserve

we are not without our generous instincts. We are not facing a question of the exchange of merchandise or of Parliamentary draftsmanship. We are facing a question of trust and understanding. Politicians and statisticians have their part to play, but the people themselves have a still greater role. Clearly the cruellest, the wickedest thing that could be done on the other side would be to foster bitterness and hatred and to add fuel to the flames of racial animosities. For long years our two great countries have been knit together to the undoubted well-being of both. Is it too much to hope that bitterness may be cast out and that the future may see a re-birth of mutual understanding and respect?"

Sir HERBERT SAMUEL said that, pending the publication of the Simon Commission's Report, they must proceed most rapidly with the possible agricultural and economic developments. Sir Herbert joined in paying a tribute to the Viceroy and Police and others who had borne the brunt in India and expressed the Liberals' concurrence in supporting the indispensable measures to maintain order.

General KNOX considered that the Police were asked to do too much. He forecasted more trouble unless the military authorities were allowed to use weapons, when necessary, for the maintenance of order.

Com. KENWORTHY considered Mr. Benn's appreciation of the situation in India quite right. But he asked how many more of these ten-yearly outbreaks had to be faced. Com. Kenworthy opined that the Indianisation of the Army was a vital matter in the treatment of which we would be judged by India in the next few years. The problem must be tackled seriously, for, at present, there was no body in India to whom the reins of Government could be handed over.

Com Kenworthy agreed that there were many capable and efficient Indians in their own spheres but there was no organised party from which a strong constitutional party could be formed and, in the existing circumstances, it was the duty of Labourites to support those responsible for the maintenance of order and restoration of peace.

Sir SAMUEL HOARE approved of Mr. Benn's statement and he commented that, taking full account of the gravity of all incidents, the trouble was confined to certain definite centres, mostly urban, which seemed to show that there was no general movement against the British Raj.

Sir S. Hoare considered the situation to be more favourable than it was ten-years ago, because then the Moslems were solidly against us and the depressed classes had little of their present influence. He said that our duty was to take advantage of the favourable conditions and press steadily forward with the programme on which all the three parties were agreed.

Major GRAHAM POLE expressed the opinion that the great mass of Britishers desired to do justly by India, but Indians were sceptical and demanded some tangible sign. He did not think that there was the least chance of success of the Round Table Conference unless leading men were induced to come. They would not do that unless they felt that they could take back some kind of self-government. Indians should be invited to come to Britain to frame their own constitution, which would provide for greater safeguards than we ever dare put in.

Mr. BROOKWAY said that the Conservatives were in complete accord with the Government policy. Apparently their reason for raising the debate was to point out the danger of Communist propaganda in India. The discontent in India had deeper roots than Moscow. Mr. Brockway most strongly opposed the present policy and said that any system of Government which required the imprisonment of Mr. Gandhi, one of the finest and noblest souls in the world, stood itself condemned. Mr. Brockway read a statement on the incidents at Peshawar by the President of the Punjab Congress Committee.

Mr. Benn pointed out that it was serious to read such a statement in Parliament and asked if Mr. Brockway thought it true.

Mr. Brockway said that he did not know; but he thought that Parliament and the country should know the Indian account in addition to the British official view. He urged an impartial inquiry and appealed to Mr. Benn to make a settlement by agreement possible by accepting full self-government with the Round Table Conference to work out the details of the transition period and a general amnesty for political offenders.

Mr. Brockway announced that, as there would be other occasions to discuss India he would not move a reduction of Mr. Benn's salary to-night, but whatever the consequences, he and his sympathisers stood by the right of Indian people to Self-Government and freedom.



Lord Stanley expressed the opinion that there was no excuse for the members of the Commons to minimise what had been done by British for India. He thought that the present unrest was an engineered attempt to prevent the Round Table Conference.

Miss Rathbone considered it mischievous that Mr. Brockway should read a statement without investigating its truth. She urged Mr. Benn to do all possible to lessen the maternal mortality in India.

Mr. Marley hoped that, before Labour left office, they would show India that she did not look to them in vain. He hoped that Mr. Benn would throw out a gesture to India, not awaiting the Simon Commission's Report.

Lieutenant Col. Howard Bury drew attention to the Communist activity and said that Communists were using Mr. Gandhi in order to distract attention from themselves.

Mr. W. J. Bell maintained that the British were in India because it paid them to be there. He warned the Government that, unless they could carry Mr. Gandhi with them, they must face the alternative of organised violence and revolutionary effort. He urged them to accede to Mr. Brockway's appeal, before it was too late.

Mr. Beckett defended Mr. Brockway's reading the statement and said that Mr. Benn was no more able to vouch personally for the accuracy of the official statements than Mr. Brockway for the statement he had read. He expressed bitter disappointment with Mr. Benn's speech, for he had not hoped to hear a fresh excuse for the policy of repression.

Mr. BENN replied for the purpose of answering immediately some questions raised. He pointed out that misrepresentation of the Child Marriages Restraint Act had caused difficulties and said that the importance of Government propaganda was not being overlooked. Referring to the statements of Communist intrigue he said that, from what he had seen, he had not been able to find anything like a serious organisation interfering in the troubled state of India to-day. Referring to Indianisation of the Army, Mr. Benn said that the supply of candidates had so improved and prospects were so good that we were well within sight of saturation of possibilities of Sandhurst and therefore of the consideration of the question of an Indian Sandhurst.

"He concluded: "We have put forward a policy of which we are not ashamed. We have invited responsible representatives of India to come and confer. What more can we do?"

Mr. Brockway said that he had done the utmost to get Indian representatives to the Round Table Conference, but its conditions and the refusal of the amnesty had doomed the Conference.

The debate was adjourned "sine die."

## Debate on the Indian Situation.

On the 17th. APRIL 1930, in the House of Commons, on the motion of adjournment Mr. Fenner BROCKWAY drew attention to the situation in India and declared that it was the task of statesmanship to seek and understand the spirit behind the events of the past week and remove the grievances of which they were the expression.

Mr. Brockway admitted the more sympathetic attitude of the India Office and the Viceroy, but said that the tragedy was that the Government had not gone far enough. Mr. Brockway was aware of Mr. Benn's view that Mr. Gandhi's move was not completely representative of Indian opinion and that more moderate politicians would attend the Round Table Conference at which a settlement satisfactory to India could be reached. Mr. Brockway contended that Mr. Benn most seriously under-estimated the strength behind the Congress and Mr. Gandhi and if the situation developed rendering prosecution of the leaders necessary, even moderate opinion in India would move in sympathy towards the left.

Mr. Brockway urged that a supreme effort should be made to solve the problem before the matter went too far. He declared that the opportunity for it would occur immediately with the publication of the Simon Commission Report when the Government should definitely declare that it intended to carry out the policy of Labourites and apply full self-Government and self-determination.

Com. KENWORTHY declared that Mr. Brockway's speech would be misunderstood, unless it was made clear that Mr. Benn (who had informed Mr. Brockway that he would not be able to attend), the Conservative leader and the whole Liberal Party were not present and that Mr. Lansbury was in charge of the front bench. (There was actually only one Conservative member of the Commons present).

Com. Kenworthy considered it most unfortunate that the Congress should have rejected the offer of the Round Table Conference. He hoped that they would still use it to put forward their view. Com. Kenworthy expressed the opinion that the situation in India was serious but it could easily be exaggerated. A great majority of villages were quite untouched by the present movement and great classes of population would have nothing to do with the Congress though he did not maintain that they did not want great extension of self-Government or were particularly friendly to British rule. He considered that "we were bound to support the Government of India in the steps to preserve order and prevent violence." It would be unfortunate if unnecessary repression was used or the judgment of the Government was over-ridden by agitation from the Opposition, but it would be equally unfortunate if the impression was created in India that Labourites felt that the Government of India was not to be trusted.

Mr. MAXTON did not think that Commander Kenworthy was rendering a service to India by suggesting that it was the Labourites' policy to leave the administration to the man on the spot without criticism or suggestion from the Parliament.

Mr. Maxton proceeded to declare that they must not be subservient in every aspect to the Commission manned as the Conservative Government had desired.

Com. Kenworthy, interrupting, said that the Labourites on the Commission were chosen with the approval of the Labourites.

Mr. Maxton said that he did not consider that the legislative steps which Government should take when the Commission reported should be in slavish acceptance of the report. He supported Mr. Brockway's demand for the greatest restraint in dealing with the agitators and for the release of the prisoners and urged the issue of a strong and definite declaration of genuine intention to give India the liberty she desired.

Major Muirhead (Conservative) contended that, in view of the present situation in India and the fact that the Simon Commission's report had not been published, the matter should not have been raised.

Mr. LANSBURY, who explained that Mr. Benn had been called away by a special State Conference, assured that Mr. Benn would give the most careful consideration to the debate. Mr. Lansbury did not intend to enter into a defence of the present administration, since Mr. Benn could make his own defence after the recess, but speaking quite personally, Mr. Lansbury thought that India and Britain were extremely fortunate in having Lord Irwin as the Viceroy and Mr. Benn as the Secretary of State. He was confident that both would do their utmost to effect a settlement of the very difficult questions and situations that had arisen.

He reminded Mr. Brookway of Mr. Benn's most emphatic statements during the previous debate in the House and concluded with the hope that the people of India and Britain would get to such position as to recognise that they were speaking truth to each other, and to obtain such mutual confidence as ought to exist, with Lord Irwin and Mr. Benn at the head of affairs.

The subject was dropped and the House adjourned.

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# The International Labour Conference.

## The Director's Report.

The report presented by the Director of the International Labour Office to the 14th session of the International Labour Conference which opened at Geneva on the 10th June is an exceedingly interesting and instructive document. It consists of two parts, the first being the report itself and the second a summary of the yearly reports supplied by the Governments in accordance with Article 408 of the Treaty of Peace on the application of the Conventions which they have ratified. The report itself is in two sections. The first is devoted to the general working of the organisation and divided into the three following chapters —(1) questions of organisation, (2) international information, and (3) international relations. This section surveys in turn the I. L. O.'s relations with each of the member states and also contains important comments concerning those states which do not form part of the organisation, especially the United States and the Union of Socialist Republics. In this section the legal points touching the Conference are also dealt with and a note is made of the various activities of the governing body and of the committees set up to work alongside of the I. L. O., of the working of the office itself, of its relations with the League of Nations and of documentary research work done during the year. The second section begins with an expose of the economic history of the year 1929. It sets out in some detail the results achieved during the year in various spheres of action and of organisation taking special note of the application of conventions and recommendations previously adopted by the Conference. The results achieved are dealt with under the following main heads: working conditions, social insurance, wages, possibilities of employment, protection of special classes of workers, workers' living condition and workers' general rights. Finally, the Director draws up the usual bird's-eye view of the situation in a group of general conclusions.

During 1929, the International Labour Organisation consisted of 55 member States. The case of Brazil which retained its membership of the I. L. O., though it withdrew from the League, deserves special mention. The report notes that the increasing development of international life has resulted in efforts on the part of member States to strengthen their relations with the I. L. O., a tendency which has found expression in the creation of (1) special sections or services for international relations being created either jointly for all Geneva institutions or separately in Ministries of Labour for the I. L. O. itself; (2) special bodies or inter-departmental committees for co-ordinating the relations of different departments with the I. L. O.; (3) permanent delegations which different States like Japan, Peru and Sweden are maintaining at Geneva to keep sustained contacts with the I. L. O. and, lastly, (4) in stimulation of the regional type of international co-operation as exemplified by the Inter-Scandinavian Conference, the proposed Asiatic Labour Conference of the Institute of Pacific Relations held at Kyoto in October and November 1929.

The principal countries which have not yet joined the I. L. O. are the United States, Mexico, Soviet Russia, Turkey and Egypt. The report while deploring the isolation of the United States from the I. L. O. notes with satisfaction the increasing instances of unofficial co-operation between the I. L. O. and the United States. The I. L. O.'s relations with Soviet Russia have not however been so satisfactory. In 1929 there was increasing cleavage between that country and the I. L. O., Soviet Russia having decided to discontinue even the measure of intellectual cooperation which it had accorded during the previous year to the I. L. O. in the field of scientific study of Labour problems. Relations with Mexico, Turkey and Egypt continued to be satisfactory.

### Sessions of Conference and Allied Bodies.

During 1929 two sessions of the International Labour Conference were held, the first a general session and the second a special maritime session. At the 12th (general) session delegations were present from 50 states which is a record number. These 50 delegations of which 35 were full delegations consisted of 386 delegates and advisers.

The 13th (maritime) session owing to its special character was attended by 34 delegations consisting of 367 delegates and advisers. It is satisfactory to note that the practice of sending full delegations to which the I. L. O. attaches great importance is

finding increasing acceptance with member states. As regards the procedure of the Conference the report states that the "double discussion" method has met with wide if not unanimous approval but that experience has necessitated the task of framing questionnaires for consulting Government before the second discussion being delegated to the International Labour Office itself and to a deliberative body like the Conference.

Five sessions of the governing body were held during 1929, all of them at Geneva. There has also been steady growth of the system of committees which may be regarded as a symptom of the vitality of the organisation and of the varied character of its activities. Committees, 22 of which were working in 1929, the report states, enable the office to secure the technical assistance which it needs and provide the office with an opportunity of associating with the work of the office the services of a large number of experts and employers' and workers' representatives concerned with the different branches of industry.

There have been no notable changes in the internal organisation of the International Labour Office during 1929, only changes of administrative detail having been introduced. In 1929 the total strength of the staff was 899, the number remaining the same for 1930 also. The chain of national correspondents of the I. L. O. is being gradually completed. In November 1928 the Indian Branch of the I. L. O. was established at New Delhi, in July 1929 and in January 1930 Rumanian and Rio de Janeiro branches of the I. L. O. were established and steps are being taken to set up soon a national correspondent's office in China.

In 1929 the budget estimates for 1930 were passed. The total budget estimates for 1930 amount to 88,60,011 Swiss francs, but deducting receipts from various sources amounting to 3,08,000 Swiss francs, the net total to be met by contributions of member states amounts only to 85,52,011 Swiss francs. The 1930 figures show that the net expenditure of the office after deducting expenditure called for by decision of the Assembly over which the I. L. O. has no control, has scarcely grown since 1924 notwithstanding the greatly increased production of that office in many directions. The stabilisation of the I. L. O. budget at a more or less stationary figure has been achieved only as a result of the practice of the most rigorous economy. If due allowance is made for the increased output of the I. L. O. as evidenced by the report on wages and conditions in coal mines and the work of the preparatory technical Conference, the new enquiries which it is undertaking, the increase in ratifications from 184 in 1924 to 386 in 1929, the unavoidable additions to office staff to cope with fresh work, the establishment of new correspondents' offices and increased expenditure on publications, it will be readily conceded that the charge of wasteful extravagance raised in some quarters against the I. L. O. is absolutely groundless. The report observes that in view of the increased expenditure entailed by the creation of a net-work of correspondents' offices, the undertaking of new enquiries and all round expansion of office work, it would be impossible to keep the budget at its present level and states that the unwisdom of adopting an attitude of restrictive economy which will tend to hamper or limit the progressive development of the Office's work and the need for placing funds necessary for fostering the work of the office have been brought to the notice of member States by a resolution to the effect passed at the 12th Conference. Another plan for securing a degree of elasticity in the budget of the I. L. O. is embodied in the proposal of Sir Atul Chatterjee to establish an agreement with the League of Nations whereby the annual budget system was to be replaced by a system of five year budgets based on an agreed average expenditure figure, but with margins for statutory increments and such increases as might be needed for the normal development of the office.

An important branch of the office's work is collection and distribution of information on all subjects relating to international adjustments of conditions of labour and during 1929 work in this direction steadily increased. During the year 84,484 publications were received at the office as against 29,917 in 1928 while the number of newspapers received were 3,800 in 1929 as against 3,400 in 1928. Over 1,000 requests for information from Governments, employers and works organisations and research workers were received by the office and were satisfactorily dealt with.

The year was not marked by any notable departure in the publications of the office but despite pressure of work consequent on the holding of two sessions of the Conference during the year the normal output of the office was maintained unimpaired. Receipts from the sale of publications amounted to 2,51,700 Swiss francs in 1929 as against 2,41,500 Swiss francs in 1928. The relations of the I. L. O. during the year under review with various organisations and bodies like the Roman Catholic and Protestant Churches, the Y. M. C. A. and Y. W. C. A., Universities and other educational bodies, women's organisations, associations of salaried employees, shipowners and seamen, agriculturists and professional workers, for all of which the desire to accelerate the pace of social reform supplies the common rallying point, continued to be satisfactory. The report notes that

the workers' movement, one of the buttresses of the organisation, has traversed difficult years of economic crisis and acquired stability and strength which foreshadows important beneficial developments in the immediate future.

Though the I. L. O. carried on its work on a universal basis it has devoted special attention to Asiatic countries on account of the backwardness of their industrial development. The establishment of national correspondents' offices in Japan and India and the resolve to open an office in China furnish ample evidence of this. If fresh proof were needed, it is supplied by the elaborately planned Asiatic inquiry which the office is conducting into labour conditions in China, India, Japan, Persia and Siam and in protectorates and mandated territories in Asia. The report notes with satisfaction that Asiatic countries have responded cordially to the efforts of the I. L. O. to ameliorate labour conditions, and have increasingly participated in the work of the I. L. O. and cites in support the presence of complete Chinese delegations at the 12th and 13th sessions of the I. L. O. Conference, the consultation of the I. L. O. by the Chinese Government in the preparation of its new social legislation and the proposal of the workers' delegation to hold a preliminary Asiatic Labour Conference before the annual sessions of the I. L. O. Conference.

The report concludes with a review of the figures of ratifications on the conventions obtained during 1929, and with a series of general conclusions based thereon. Up to the 15th March 1930, 386 ratifications were communicated to the office as against 342 ratifications up to 15th March 1929, the ratification thus amounting to 44 during 1930.

The report points out the fallacy underlying any attempt to judge the work of the I. L. O. by applying purely arithmetical criteria. The conventions are threatened from two sides; either they may be too rigid, and may not be ratified even by the advanced industrial countries or they may contain merely a few wide principles which while securing easy ratification, call for no new legislation and thus produce no effect. One conclusion is becoming increasingly irresistible, viz., that the method of drafting conventions could be improved and that such a step would speed up ratifications and so multiply the mutual pledges which form the essential basis for international labour legislation.

The report concludes with a note of decided optimism, and observes that despite the stagnation of certain movements, a survey of the past year leaves little doubt that the demand for social justice is becoming more urgent and irresistible, more systematic and more international in practically every country, and among all classes. Evidences of this awakening are writ large on the industrial horizon of each country. The steady, if slow, progress made by the workers of the Trade Union movement, the vigorous national and international activities of the organisations of salaried employees, the development of agricultural groups, the growing consciousness in the co-operative movement of its international power and the social pre-occupations of the churches, are all reflected in the promulgation of new labour codes, the creation of important system of social insurance, the spread of organisations for ensuring better industrial relations, the new conceptions of labour laws and the signing of the bilateral and multilateral labour treaties.

The I. L. O., concludes the report, is not going to be a passive participator, fretted by rigid formalism in this great human drama. It would, on the other hand, endeavour to the best of its abilities, to harmonise, co-ordinate and regulate the new forces of self-expression in the industrial world, and thus canalise impetuous currents which, if allowed unimpeded flow, might spread havoc and ruin in their wake.

### Report of the Work of Indian Delegation.

The following is a report of work done at the 14th. Geneva International Labour Conference by the Indian Labour Delegation :—

The Indian Workers' Delegation to the 14th Session of the International Labour Conference at Geneva, consisted of the following :—Mr. S. O. Joshi (delegate), Messrs B. Shiva Rao, Mohamad Umar Rajab, and K. C. Roy Chaudhuri, (Advisers).

The Conference commenced its sittings on 10th June, 1930, and lasted till the 28th June. The announcement of the delegation was not made by the Government of India till April. Owing to this circumstance, it was not possible for the members of the delegation to collect the materials necessary for the work of the Conference, nor to assemble together in India for a discussion of the subjects on the agenda. For the same reason, it was not possible for them to travel together by the same steamer, and they could not meet until on the very eve of the Conference at Geneva.

Mr. Joshi spoke at the Conference on the report of the Director and initiated the general discussion on it. He also moved a resolution on the holding of an Asiatic Labour Conference in the following terms :—

"Whereas the labour conditions obtaining in the Asiatic Countries are so much different from those obtaining in the Western countries ;

"Whereas those labour conditions deserve to be considered in greater detail than is generally possible at the General Conference, and improved so as to bring them more into conformity with the General standards laid down by the International Labour Organisation ,

"Whereas it is commonly objected that many of the conventions hitherto adopted by the General Conference were formed more particularly with reference to European conditions ; and

"Whereas the failure to ratify these conventions on these and other grounds has caused profound disappointment among the workers throughout the Asiatic countries,

"The Conference requests the Governing Body to consider the desirability of consulting the Governments of the Asiatic countries, members of the International Labour Organisation with a view to the convening at a reasonably early date of an advisory Conference, including representatives of organised employers and workers, to consider such special matters affecting labour conditions in the East as may appear proper to the Governing Body and to report thereupon to the Governing Body."

It may be added that the terms of the original resolution were considerably modified on the advice of the resolutions sub-committee of the Selection Committee which was practically responsible for the draft. Mr. Joshi pointed out in his speech, the importance of holding such a Conference in one of the Asiatic countries, under the auspices of the I. L. O. and the need for levelling up labour conditions in Asia to approximate those obtaining in the West. The representative of the Government of India, Dr. R. P. Paranjpye, took up a negative attitude in the Conference and abstained from voting on it. The Indian Employers' delegate likewise remained neutral. Although the resolution had the support of the workers of all the countries and that of the Government of China (and Great Britain), it could not obtain the necessary quorum, in the Conference for adoption, namely 79, by reason of the abstention of several delegates. The actual vote on the resolution was 55 against 17. The resolution was discussed on the 24th, when several delegates were otherwise engaged in the work of Committee, and the vote was taken on the 28th. We cannot help observing that the result might have been different if the members of the Conference had the benefit of listening to the debate before voting, and the representative of the Government of India had adopted a sympathetic attitude. The representatives of Western countries, both on the Government and the employers' side, did not appreciate the significance of the resolution and showed an indifference as to its fate. The failure to adopt the resolution was, in our opinion, a serious blow to the interests of Asiatic workers, and we trust that the blunder will be repaired at an early session of the Conference.

Our members participated in the work of the various Committees, Mr. Joshi was on the Committee of Selection, the hours of work of salaried employees and Standard Orders ; Mr. Shiva Rao was on the Forced Labour Committee ; Mr. Rajab on the Committee on Article 408 ; Mr. Roy Chaudhuri on the Coal Mines Committee, though owing to illness he was unable to take an active part in its discussions. We may add that the representatives of the Government of India took no interest in the work of the Committees, except those on Forced Labour and the Committee of Selection.

In regard to the draft convention on the hours of work of salaried employees, the Indian Employers' representative moved an amendment to embody a provision for the sixty hours' week for India. But this was opposed by Mr. Joshi and rejected by a large majority. In the Forced Labour Committee, the Government of India's representative moved for exemption from application of the convention to the criminal tribes ; Mr. Shiva Rao opposed the Government's proposal and the Committee, by a decisive majority, threw out the amendment. Mr. Shiva Rao also moved for the addition of a recommendation at the end of the Committee's report that the conditions of long contract and plantation labour should engage the attention of the Conference. The proposal was however withdrawn after a debate on its being pointed out that the problem was already under investigation by the I. L. O. Mr. J. K. Mehta, the Indian employers' representative on the Committee, moved for the deletion of "internal disorder" from the list of emergencies during which the convention would not apply. He was supported by Mr. Shiva Rao, and the amendment was carried. In the Committee on Article 408, Mr. Rajab drew attention to the delay that had taken place in applying the Washington Hours' Convention to the workers on Indian Railways. On the question of Coal Mines, although it had exclusive reference to the countries of Europe, one of our representatives was generally present to assist the cause of the workers.

Coming now to the decisions of the Conference on the reports of the Committees the draft convention on Forced Labour was adopted. The representative of the Government of India again brought up the two amendments which had been rejected by the Committee. They were opposed by Mr. Shiva Rao and rejected by the Conference. The consequence was, that so far as the Government of India was concerned, its representatives abstained from voting on the draft convention on the ground that their amendments were vital conditions of the Government for the adoption of the convention. The convention, as finally adopted, abolished forced labour for private purposes and restricts and regulates its use for public purposes for a period of five years.

With regard to the convention on coal mines, which aimed at the regulation of the hours of work by limiting them to seven and three quarters, bank to bank, the necessary two-thirds majority could not be secured for want of two votes. There was deliberate abstention on the part of some with a view to preventing majority from being obtained. The employers' group protested at the commencement against the convention being rushed through the Conference without the usual double discussion procedure. A vote was then taken as to whether a recommendation should be made by the Conference on the lines of the convention. The proposal did not find favour with a large majority and was therefore dropped. It was finally decided to include the question of the hours of work in coal mines on the agenda of the Conference of 1931. It should be noted that in its present form it will not be confined to European countries alone but to all countries represented at the Conference. We hope that the necessary steps will be taken to ensure that the interests of the coal mine workers in India will receive consideration when the question again comes up for discussion.

The Convention on the hours of work of salaried employers was adopted by a large majority. Mr. Joshi unsuccessfully opposed an amendment, on behalf of the Workers' Group, which aimed at the exclusion of the families of shop workers from the scope of the convention. The representative of the Government of India read a statement that he had not taken part in the discussion in the Committee and that, in a country like India, owing to its size and the scattered nature of the population, it would be impracticable to enforce the convention. The Indian Government delegates therefore abstained from voting on the convention. This convention provides for an eight hours' day and forty-eight hours' week for certain classes of employees who were excluded from the Washington Hours' Convention, such as shops, administrative offices, post, telegraph, telephone etc. The importance of this convention lies in that it does not make an exception in the case of India like the Washington Convention.

The Conference also adopted resolutions of the utilisation of the workers' spare time by developing their intellectual, moral and physical powers (moved by Mr. M. Johaux, the French workers' delegate), the special protection of workers in regard to one or two matters each year (moved by Mr. Muller, the German Workers' delegate), annual holiday with pay for workers (moved by the Polish Government delegate) and freedom of association (moved by Mr. Suzuki, the Japanese Workers' delegate).

Besides the actual work of the Conference, we had several opportunities of meeting the workers' representatives and particularly those from Asiatic countries. We are glad to observe that we had unstinted support from our colleagues, both in the Committee and in the Conference. From our experience of the Conference we are strongly of the opinion that the work of the delegation would be more effective if the announcement of the personnel was made early enough in India to enable the members to study their subjects. It happens every year that some at least of the members of the delegation are strangers to European conditions and need time to get accustomed to them before the commencement of the Conference. Although the rules allow two months time before the Conference for the purpose, in practice the delegation do not arrive in Europe more than a fortnight before the session. We feel also bound to observe that the rules for the early return of the delegation (subject also to a two months' maximum) is a needless restriction on the movements and activities of the members. The Indian Workers' delegation can do far more effective work at Geneva if its personnel is enlarged to the maximum of two advisers for each subject on the agenda and Secretary is provided to assist the members in their work. It is absolutely necessary that the Indian workers should be represented on each Committee. There are as many Committees as there are subjects, in addition to the Selection Committee and Committee on Article 408 and Standing Orders.

**Personnel of the Delegation:—**The Employers' delegate was Mr. A. L. Ojha. The employers' advisers were Messrs. P. Mukherji, B. Vaishya and J. K. Mehta. The workers' delegate was Mr. S. O. Joshi. The workers' advisers were Messrs. B. Shiva Rao, K. O. Roy Choudhury and Muhammad Umar Rajab.

# India in the League of Nations.

## Report of the Indian Delegation.

The following is a summary of the Report of the Indian delegation to the League of Nations in 1929 which was for the first time headed by an Indian (Sir Mahomed Habibullah). Commenting on the Report which was issued to the press in March 1930 the 'Hindu' of Madras wrote,—"It is worth the serious attention of both the Government and the public, not only because of its lucid presentation of India's just grievances as a member of the League, but also because it makes certain definite constructive proposals for remedying these grievances. The gravamen of the complaint, which has been voiced by the Indian press and public men time and again and which the Indian delegation fully endorses, is that India does not exercise in the councils of the League anything like the influence that she is entitled to by reason of her intrinsic importance as a great country and a full member of the League and the extent of her contribution to the upkeep of the League, and it is pointed out that the comparatively scant attention accorded to India's wants and problems by the League is a natural corollary of this Cinderella-like position she occupies. Moreover, the Indian delegation point out that, if India is to make herself felt in the League councils, the delegation that goes to Geneva in her name should be Indian in fact as in name and should have the moral backing of Indian public opinion."

The delegation, after giving a detailed account of their activities, make definite proposals regarding future activities. They said—

(1) In the first place, we consider that some means should be found for increasing the interest of the Indian Legislature in the work of the League and for associating it with the work of representatives of India.

The Indian Legislature is a constitutional embodiment of Indian public opinion on all matters which concern India as a whole, and it seems only natural that it should, as one of the functions, sustain and stimulate, consistently with its powers, India's participation in international affairs. So far the Indian Legislature has not displayed much interest in the League. It is not for us to suggest why this has been so. We would rather confine ourselves to suggesting how a broader, more active and a better informed interest could be generated. Accordingly we recommend that a standing advisory committee of the Legislature, analogous to similar bodies which already exist, should be created for the purpose of considering and advising upon all important matters arising out of India's membership of the League. It would examine the reports of the delegates of India with the collaboration, as far as possible, of the delegates themselves, who might be invited to Delhi or Simla for the purpose. It would consider and advise to what extent the attitude taken up by these delegates should be maintained or developed. It would receive information as to matters which are expected in the near future to be considered by the Assembly and other League Conferences including as far as possible the actual agenda of such meetings and it would submit to Government its advice in as precise a form as circumstances may render desirable and possible.

**Instructions.** As to the instructions which should be given to the representatives of India, circumstances may render it necessary for the Government to instruct the delegates without consultation with the committee in all questions which arise at a short notice but, consistently with this, the fullest possible use should be made of the committee to ensure that instructions to the delegates are in accordance with public opinion. Joint sessions might be arranged for the consideration of matters which are the concern of some other standing committee as well as of the League Standing Committee. The committee will be free to make recommendations on matters in which they consider that the representatives of India might take the initiative at international meetings organised by or held under the auspices of the League.

**League Questions.** It would be a necessary complement to our first proposal, as well as desirable on other grounds, that the administration itself should be provided with suitable machinery for a more intensive and adequate treatment of League questions. This should be done by attaching a wholetime officer to the appropriate department. This officer's function would be generally to study and digest the League's voluminous literature, to facilitate co-ordination of work among the various departments of the Government of India which may be specially concerned with particular aspects of the activities of the League, to prepare documentary material necessary for members of delegations and finally, but not the least, to perform those secretarial and administrative services which the creation of a standing committee would involve.



**Affairs at Geneva.** Some machinery should also be created which would enable the Government of India to be better informed as to affairs at Geneva. There is a number of countries, some remote from Geneva and others comparatively near, which has found it desirable to supplement by the appointment of permanent representatives at the headquarters of the League or by other means of information on League matters, which is derivable from official documents studied in their ministries home, and we believe that India is in need of similar facilities.

**Indians in Geneva.** The number of Indians employed at the Secretariat of the League and the positions which they have so far occupied are conspicuously inferior, in our opinion, to the relative importance of India as a country and to the place which India should rightly occupy among the members of the League. Appointments are exclusively within the discretion of the Secretary General. With this we have neither the desire nor the right to interfere. We are conscious of his goodwill and we appreciate his difficulties. Representation of different countries is not and should not be a predominant factor in building up an International Civil Service. But countries are not and cannot be completely indifferent to the extent to which their importance is reflected in the constitution of the Secretariat. The representation of a country will have a favourable influence on the spirit in which that country contributes to the work of the League and will affect the qualifications of the Secretariat itself for discharging its duties with a full realisation of the interests and influences involved.

The point has often been made before and we ourselves repeated it at this Assembly. It is particularly important that whenever an opportunity occurs no effort should be spared to find and put forward candidates of the highest possible qualifications.

**The Secretariat.** Lest our remarks on this subject should be misinterpreted on account of their juxtaposition to the proposals which are designed to increase the practical effectiveness of India's participation in the work of the League, we wish to make it perfectly plain that a more adequate representation of India in the Secretariat is not to be sought as a means of serving the interests of India by influence exercised internally in the Secretariat nor in fact as a means of obtaining direct advantages of any sort. We wholly agree with the view that the nationals employed in the Secretariat should not in any way, directly or indirectly, Act as servants or agents of the Government of the country to which they belong.

The considerations supporting the view which we represent are of a different and higher order. They flow primarily from a conviction that the League can fulfil its high moral mission most effectively only if its staff is not only international in its outlook but also in its personnel.

**Continuity.** Our predecessors have often urged the necessity for a strong element of continuity in the composition of the delegation to the Assembly. Yet on this occasion the Maharaja of Kapurthala alone of a delegation of six had had previous experience. We can only emphasise a view which has been expressed before. There are, as we are aware, obvious difficulties in securing continuity, especially in the case of a distant country where service as a delegate involves long absence. There are even, as we know, some considerations in favour of variation, yet the experience of other countries has almost universally resulted in a continuous representation except so far as variation is necessitated by radical changes of national policy.

Many of the delegates attend the Assembly year after year and some have been present at every Assembly. The conditions, methods of procedure and sub-ject-matter are so peculiar that experience is important to an exceptional degree and in the midst of delegates possessing that experience those who do not possess it cannot hope or be expected to do full justice to themselves and the interests which they represent. We know of no delegation which attempts to play an important part in the work of the Assembly with so many changes in its personnel as the Indian delegation and discontinuity in the representation of India is a subject of widespread comment year after year.

Positions of influence are inevitably assigned to delegates who know the Assembly and are known to it. The leading part in debates is occupied by them and proposals which are destined to bear fruit proceed from them. If India is to be adequately and worthily represented at Geneva, or she is to rank with countries whose spokesmen are not limited to representation and defence of particular national interests but are in a position to contribute to the general development of ideas, so means must be found of constituting delegations with as little variation as possible. We suggest as a practical measure that no delegate should in future be appointed unless he is prepared if called upon to serve on at least two or three consecutive occasions.

# Indians in Kenya.

## Mr. Srinivasa Sastri's Report.

The following are the proposals put forward by the Rt Hon'ble Mr. V. S. Srinivasa Sastri in his report on his mission to East Africa last year (1929), which was published by the Government of India in March 1930. Mr. Sastri said —

"The instructions given to me in connection with my deputation to East Africa were (1) to help the Indian communities to state their views to Sir Samuel Wilson on matters arising out of the Hilton Young Commission's report, and (2) to be at Sir Samuel Wilson's disposal, if he wished to make use of me in dealing with the Indian deputation. Unfortunately, all accommodation on the S. S. "Karda" had been fully taken up when my deputation was settled, and it was not possible for me to sail on the 4th April. I sailed instead by the S. S. "Ellora," which left Bombay on the 1st of May and arrived in Mombasa on the 10th. I received instructions there that I should meet Sir Samuel Wilson at Entebbe on the 13th. I also learnt that the East African Indian National Congress had resolved that a deputation under the leadership of Pandit Hridayanath Kunzru should wait upon Sir Samuel Wilson in each of the three provinces with a special memorandum. The Kenya Deputation's interview had been postponed till I should be able to attend it. The Uganda Deputation waited on him on the 13th within a few hours of my arrival at Entebbe. I was present and took part in the discussion which followed the presentation of the memorandum.

"Sir Samuel advised me not to accompany him to Tanganyika, but to proceed to Nairobi and await his arrival there. He felt that my time might be most advantageously used in getting acquainted with the situation in the Capital of Kenya, where political feeling was most pronounced. Pandit Kunzru proceeded to Tanganyika on the same boat as Sir Samuel, while I returned to Nairobi, after staying at Kampla for two days. Travelling by motor, during the first part of the journey, I was enabled besides, to meet representative Indians in Jinja and Tororo.

"In Nairobi, I was the guest of the Acting Governor for just over a week, and lived in separate quarters for a fortnight. Sir Samuel Wilson arrived in Nairobi on the 27th of May, and received the Indian Deputation on the 31st. We left Nairobi together on the 9th June for Mombasa whence he sailed on the 12th for England and I for India on the same day. I arrived in Bombay on the 22nd June.

### Demand for a Common Electoral Roll.

Discussing the position in Kenya, Mr. Sastri said —

"As was anticipated, the feelings of the Indian community are deeply engaged on securing a common electoral roll. For many years they have concentrated their efforts on it. At intervals they have practised non-co-operation, abstaining from the legislature and from municipal bodies, to which, under the present arrangements, they could have access only through communal registers. Certain events led them to withdraw from these bodies in 1927, and they remain out even now. They look upon a common roll as a sign of political equality, an ideal to which they are attached by the deepest and strongest sentiments, not only on their own account, but on account of the people of India. In addition, they value a common roll as the only safe basis of Kenya Citizenship and a guarantee of the progress and welfare of the colony as a whole. Further more, they realise, only too clearly, that the present communal arrangement is meant to secure their inferior status in the affairs of the colony by making it impossible for their numbers or importance to tell on the elections.

### Non-Co-operation Policy.

The leaders of Indian opinion see vividly the moral and material disadvantages of abstention from the legislative and municipal bodies, and, in fact, desire that the extent of these disadvantages should be regarded as a measure of their anxiety to secure a common roll. Though I made earnest attempts to induce them to abandon the Non-Co-operation Policy, it produced but little impression. Especially in view of the recommendation of the majority of the Closer Union Commission in favour of a common roll, the Community

fully expected that the authorities in Great Britain and in Kenya would take this recommendation seriously, and set about the task of getting the consent of the local European Community which had been laid down by the Commission as a necessary condition. This expectation was doomed to utter disappointment. Nothing ostensibly was done in this behalf by the Government. The Declaration made in Parliament by the then Secretary of State for the Colonies to the effect, that the main basis of the franchise which was laid down in the White paper issued in the time of the Duke of Devonshire, could not be altered except by consent, brought them no comfort.

"A hope however lingered that Sir Samuel Wilson, although not exactly a High Commissioner in the terms of the recommendation of the Hilton-Young Commission, might yet conduct preliminary enquiries regarding the basis of a civilisation franchise, and bring together the leaders of the different communities for a discussion of the question. Sir Samuel Wilson, however, called the attention of the Indian Deputation on the 31st to the fact that, although the majority of the Hilton Young Commission were in favour of a common roll, they nevertheless pointed out that this ideal could only be realised by the consent of all the parties. He went on to say that, from what he had seen for himself in Kenya, it was unlikely that any such consent could be got at the present time, and that it might be desirable to explore other avenues of approach. These statements caused the deputation a shock of disappointment and grief. However, they repeated their arguments with vigour, and were not wholly without a hope that when Sir Samuel should bring them to the notice of the New Government they might have better chances than ever before of favourable attention.

#### Proposals for Closer Union.

"At the same interview, Sir Samuel explained his proposals as to a closer union, which involved the establishment of a Central Council with legislative powers over economic subjects of common interest and presided over by a High Commissioner who was to be the King's representative, having precedence over local Governors, taking the chair at their Conferences, and enjoying a power of veto over the resolutions of the local legislatures on central subjects. The deputation saw, in these proposals, a grave danger of eventual political union, and denounced them wholesale. At the same time, they were emphatic in demanding that, should the Central Council be established in spite of their protest, one of the two unofficial representatives from each province should be an Indian. They would not be content to leave the matter to the discretion of the local authority, as Sir Samuel suggested. Their experience of the way in which such a discretion was on the point of being exercised, they stated, was most unfortunate, and they must insist on Indian representation being made to rest on prescription.

#### The Kenya Legislature and Indians.

"As regards the legislature of Kenya, it will be remembered that the Government of India were inclined to favour the recommendation of the majority of the Hilton-Young Commission, provided the change was not meant to be the beginning of a process which was to end in the establishment of a European unofficial majority. The Indian Deputation did not allow themselves to forget that the majority of the Closer Union Commission had avowed their intention to extend the substitution of official by unofficial representatives, if the first experimental step should prove successful, and therefore set their face definitely against the proposal. They argued strongly for the retention of the official majority. If the official majority was to go, they required that the representation of native interests should be by natives themselves, but that if non-Natives should be chosen for the purpose, Europeans and Indians should be chosen equally.

#### "Utter Lack of Mutual Understanding."

Mr. Sastri continued :—"No one who visits Kenya can fail to be struck by the utter lack of mutual understanding in political outlook between the Indian and European communities. I admit that my stay was brief, and my opportunities for ascertaining the European feeling were necessarily limited. Nevertheless, it was clear to me that the predominant view of that community was that they should be the arbiters of the destiny of Kenya and that the Indians should be allowed only a very subordinate voice in the administration of the affairs of the colony irrespective of their numbers, wealth, capacity, or contribution to the taxation. On the Indian side, one seldom heard a desire expressed to seize the direction of the colony's affairs or a claim made to anything like political dominance; but with passionate fervour, all the leaders demanded equality of status; and while some might be willing to advance towards equality of status, one would be content to contemplate a lesser goal or destiny for the Indian people. In this contention they are sustained by the thought that the position of India in the Commonwealth of Great

Britain is really at stake. It is easy to understand how this fundamental opposition of political aims between the two communities has caused them to drift apart, so that occasions of ordinary social intercourse are extremely restricted. In the circumstances, I am in a special degree thankful for the opportunities that were afforded to me of meeting Europeans of influence, and of trying to understand their points of view. For these, I am indebted to the hospitality of many friends, and I am in particular glad to acknowledge the ungrudging help of the Acting Governor, Sir Jacob Parth, and his staff.

"During the discussion alike of policy and of the grievances, which took place, one circumstance became apparent. The extreme anti-Indian view no longer occupies the field so exclusively as before. A more tolerant attitude finds expression here and there. Even where our assertion of equal political status is not welcomed, the disparity between the two communities as to the essential conditions of well-being, education, medical relief, etc., is regarded as a blot on the administration. A few ardent spirits regard even a common electoral roll as not hopelessly beyond the range of practical politics; and I have brought away the impression that, if healthy opinion, now incipient on the spot, should be fostered by the firm and clear enunciation, from the headquarters of the Commonwealth, of a principle and policy, consonant with its real character, the next few years may witness in Kenya the beginnings of a common citizenship, full of promise for the future. By sad experience our people know how the real character and ideals of the Commonwealth are obscured in the vision of the local authorities, derived exclusively from one race and in touch with sentiments and wishes exclusively of the race. Naturally, the Indians in Kenya will oppose by all the constitutional means open to them, not only the abandonment, but even the relaxation of the control now exercised by the Colonial Office; and as the moral custodian of their interest, the Government of India, in my humble judgment, cannot acquiesce in any arrangements calculated to transfer the final responsibility, even in part, from London to Nairobi.

#### Question of Negotiations

"The small improvement in the atmosphere to which I have referred might have been utilised by me to promote negotiations for a mutually satisfactory and honourable settlement of the questions now outstanding between the European and Indian communities, but the advent to office of a new Government in Great Britain made the local leaders uncertain as to the trend of its policy regarding East Africa, and consequently disinclined to discuss terms. Moreover it was recognised that Sir Samuel Wilson was in no sense a plenipotentiary of the Imperial Government empowered to promote binding agreements, but merely to investigate and report. The general feeling was that the proper venue for negotiation and settlement would be London. Indians in East Africa fervently trust that, when the Labour Government takes up the consideration of the problems of Eastern Africa, they will be given an opportunity of representing their views and that in this task they will have the active assistance and support of the Government of India preferably through one or more representatives, especially deputed to England for the purpose. This hope I fully share.

#### Absence of Educational Facilities

"Before leaving the subject of the situation in Kenya, I would revert briefly to the question of the disabilities suffered by the local Indians in respect of educational and medical facilities, and of their representation in the public services of the Colony. I have already forwarded to Simla a copy of Pandit Kunzu's memorandum on the subject. It affords disquieting evidence of the danger of leaving our people without adequate means of voicing effectively their grievances and their needs before the Government and the legislature of the Colony. I have also alluded to this topic in public speeches, and more than once impressed it, in private conversations, on the local authorities, as well as on Sir Samuel Wilson. I am not without hope that ameliorative measures will be undertaken in the near future. It is, I submit, the duty of the Government of India to support the Indian claims for redress by all the methods open to them.

#### Position in Tanganyika.

Discussing the position in Tanganyika and Uganda, Mr. Sastri said :—"It is asserted with some truth that the mutual relations of the Indians and Europeans are better elsewhere than in Kenya. Uneasiness, however, exists among Indians as to their lot within these territories. For instance I was surprised at the vigour with which the claim of our fellow-countrymen in Uganda for equality of representation in the Legislative Council was insisted on. In this province we dominate the situation by numbers, wealth, capacity and the magnitude of our interests. If race and colour were not sovereign considerations, we should have something more than parity of representation. Tanganyika too would

give cause for pessimism if the general attitude of some of the white settlers, approximating, as it does, to that of their confreres in Kenya were not counteracted by the mandate of the League of Nations and by the high-minded and courageous character of the present Governor. The high ideals of Labour and the declaration of Mr. Johnston in the Commons during the debate on the Colonial estimates encourage some that the Labour Government will make a clear statement of policy, which will assign to the Indian populations in Eastern Africa a status compatible with the description of equal partners.

#### Government of India's Duty.

"In conclusion, I respectfully suggest that the Government of India should,

(a) press for enquiries as to the basis of a civilisation franchise which shall be common to all races alike ;

(b) invoke the good offices of the Colonial Office and of the Government of Kenya, in securing the consent of the European community to the establishment of a common roll ,

(c) oppose the grant of responsible Government to Kenya or of any institutions leading up to it ,

(d) oppose the establishment of a Central Council on the lines proposed by Sir Samuel Wilson ;

(e) demand in the case of the establishment of some such body that the unofficial representatives from such province should include an adequate number of Indians ;

(f) advocate the continuance of the official majority in the Legislative Council of Kenya ,

(g) demand that the representation of natives in the Kenya Legislative Council should be by natives or by Europeans and Indians in equal proportion.

## Indians in East Africa.

### Whitepaper on Native Policy.

A definite record of native policy in East Africa in the form of a memorandum and statement of conclusions of His Majesty's Government as regards closer union in East Africa was issued simultaneously at Simla and London on the 19th. June 1930.

So far as the conclusions regarding closer union and constitutional changes in Kenya, Uganda and Tanganyika are concerned these will be submitted to the Joint Committee which the two Houses of Parliament invited to appoint, and such an examination will enable those who are specially interested in the matter to express their views.

As regards the memorandum on native policy, officers administering the Governments of the three territories have been asked to take immediate steps to ensure that the policy in regard to native administration in these territories is brought into strict conformity, if in any respect this is not at present the case, with that laid down in the memorandum. Instructions have been added that the widest possible publicity should be given to this statement of native policy and that copies should be communicated to Government officials who may be in any way concerned and, in particular, that every administrative officer should be supplied with a copy.

#### Kenya Constitution.

His Majesty's Government have for some time past had under their consideration the question of the future of East African Dependencies, with particular reference to the question of (a) what measure of closer union, if any, between these dependencies might be desirable, and (b) what changes, if any, should be made in the Constitution of Kenya. The circumstances from which these two questions had their origin, together with a short account of their history up to the present time, are set out in the annexure to this memorandum.

His Majesty's Government, in considering these problems, have had before them amongst other documents the report of the Commission on closer union of Dependencies

in Eastern and Central Africa and the report of Sir Samuel Wilson on his visit to East Africa in 1929. The circumstances which led to the setting up of this Commission and to the visit of Sir Samuel Wilson to East Africa are set out in the annexure.

His Majesty's Government have based their decisions as regards these problems on the principles expounded in the following passage from the memorandum "Indians in Kenya" which was published in 1923 — "Primarily, Kenya is an African territory and His Majesty's Government think it necessary definitely to record their considered opinion that the interests of African natives must be paramount and that if, and when, those interests and the interests of immigrant races should conflict, the former should prevail. Obviously the interests of other communities, European, Indian or Arab, must severely be safeguarded whatever the circumstances in which members of these communities have entered Kenya.

"In the administration of Kenya, His Majesty's Government regard themselves as exercising a trust on behalf of the African population and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of native races."

#### Closer Union Plan.

As regards the question of the closer union of East African Dependencies His Majesty's Government propose that a High Commissioner should be appointed to super-vise Kenya, Tanganyika and Uganda. They would have preferred that, if it were possible, the Council to assist him in his duties should be of an advisory character, but they are advised that there would be difficulties in arranging for this.

Under the Statutes as they exist to-day Uganda is a Protectorate, Tanganyika is a Mandated Territory which must be administered according to the terms of the Mandate; a small sea coast strip of Kenya is a Protectorate but the main part of the territory is a colony and subject to the provisions of section 3 of the British Settlements Act, 1887. As far, therefore, as the Colony of Kenya is concerned His Majesty's Government are advised that, without alteration of the above Statutes, it would not be possible for His Majesty to confer upon the High Commissioner himself powers of the Government, even if assisted by an Advisory Council as distinguished from a Legislative Council.

In these circumstances, His Majesty's Government propose to adopt the following scheme for closer union in East Africa:—

For the purpose of social and economic development of the Colony and the Protectorate of Kenya, Protectorate of Uganda, and the Mandated Territory of Tanganyika, there shall be established a High Commissioner whose duties shall be of a two-fold character (a) as chief adviser on native and other policy to the Secretary of State under Royal instructions covering the following:

(1) He shall receive drafts of all Bills about to be introduced into any of the Legislative Councils of the abovementioned territories; (2) he shall receive drafts of each year's budget proposals with full particulars of proposed changes in native taxation and in all forms of welfare work; (3) he shall receive an outline of all proposed changes in the administration affecting natives; (4) he shall receive copies of all important despatches from or to the Secretary of State; (5) he shall receive copies of the annual and other reports of the chief native Commissioner and education and health departments; (6) he shall make such criticisms, suggestions and proposals to the Governors of the abovementioned territories as he may think fit; (7) he shall be the permanent Chairman of the Conference of Governors, for which he will furnish the secretariat and agenda; (8) he shall suggest or order local inquiries and investigations called for by complaints or reports of abuses; (9) he may send one of his own officers to look into such complaints or reports of abuses and the officer may report to him without publicity or formality; (10) if, in any case, he is of opinion that a proposed measure is contrary to the declared policy of His Majesty's Government or is likely adversely to affect the social or economic progress of the native population of any racial minority he shall direct suspension of action pending further consideration and shall, within three months, give a decision on the proposed measure; (11) in the event of his suspending a measure, he shall forthwith report the matter to the Secretary of State; (12) he shall be empowered to require any of the Governors to initiate any legislation which he may, with the approval of the Secretary of State, deem necessary; (13) he shall carry out any directions of the Secretary of State which may be imposed upon him by additional instructions amending original instructions.

(b) The High Commissioner shall also under an order of His Majesty in Council administer and legislate in respect of certain "transferred" services in all three

territories, namely: (1) Railways and public waterways, air and motor services; (2) Ports and harbours, (3) Customs, (4) Defence, (5) Posts, Telegraphs and Telephones; (6) Extradition, (7) Criminal research; (8) Eastern African Dependencies, Trade and Information Office in London, (9) any other matter which shall be placed under the authority of the High Commissioner and Council by any order of His Majesty in Council amending the original order.

#### Transferred Services

In respect of the duties specified above regarding transferred services the High Commissioner shall be assisted by a Council, of which he shall be Chairman, consisting of three officers on the High Commissioner's staff and twenty-one members, namely, seven for Kenya, seven for Uganda, and seven for Tanganyika. The High Commissioner shall nominate all the members of the Council as follows:—

(a) The seven members for Kenya shall consist of four official and three non-official members, (b) the seven members for Uganda shall consist of four official and three non-official members; (c) the seven members for Tanganyika shall consist of four official and three non-official members.

In selecting members for nomination in respect of each territory he shall have regard, as far as possible, to representation of each racial or other section of the community. Members nominated to represent the three territories shall remain in office for one year but they shall be eligible for re-appointment at the end of any year.

The High Commissioner may require any measure passed by the Council to be referred to the Secretary of State for the Colonies for signification of His Majesty's pleasure and shall, on the request of any three members of the Council, so refer any measure passed by the Council.

In the event of the High Commissioner so referring any measure, such measure shall not come into force nor shall any proceedings be taken therein until His Majesty's pleasure is known, and His Majesty shall have power either to quash the measure or to alter the measure either by addition or omission.

It will be observed that the Council, which it is proposed should assist the High Commissioner in his administration of transferred services, has been set out as one of a legislative character, but it is thought that powers given to the High Commissioner under section II (IV) of the scheme will meet any objections which might be raised to the effect that native or minority interests were not being adequately safeguarded if the Council were to be made only advisory. Some modification of the sub-sections would be required.

#### Responsible Rule.

The suggested changes in the Constitution of the Legislative Council of Kenya have been the subject of particular consideration by His Majesty's Government. The goal of the constitutional evolution in Kenya, as elsewhere, is admittedly responsible government by a Ministry representing an electorate in which every section of the population finds an effective and adequate voice, but that goal cannot be reached at an early date in a community where it has so far been practicable to enfranchise less than one percent of the population and where the ideal of any substantial extension of franchise finds little general support. For the native African population, indeed in so far as tribal organization is still the basis of its social organization, the promising line of development for the near future may lie not in any direct participation in the legislative council, but in increasing the importance to be given to native councils, an importance to be manifested alike in a continuous widening of their functions and in a constant communication to these councils through district commissioners or otherwise.

Of the various proceedings and proposals of the Executive Government as well as enactments of Bills of the Colony's legislature, the conclusion to which His Majesty's Government has come is at this juncture to leave the constitution of the Kenya Legislative Council substantially unchanged and to retain an official majority.

Eleven elected European members, five elected Indian members and one elected Arab member, together with twenty official members, should for the present remain unaltered. All councillors, whatever their race and whether they are or are not Government officials, will of course be on an equal footing as members of the Council and they will in particular be entitled to appropriate the share in membership of any committees that may be set up.

His Majesty's Government believe that they are justified in assuming that all members of the Council, official and unofficial, will whatever their race or position discharge their duties as legislators with a view to the lasting advantage of the colony as a whole.

rather than as advocates of temporary interests of particular sections. At the same time the constitutional right of the Governor must be preserved to require in any case in which he may deem it necessary that all official members should support his policy by their votes. Moreover in order to ensure a somewhat fuller representation of interests and as far as may be practicable, the views of that part of the population not specially voiced by European, Indian or Arab members. His Majesty's Government propose that there should be two (instead of one) members nominated by the Governor without restriction of race to be particularly charged with defending the interests and voicing the feelings and opinions of Africans and other unrepresented persons.

With regard to the franchise for the Legislative Council of Kenya, His Majesty's Government are of opinion that the establishment of a common roll is the object to be aimed at and attained with an equal franchise of a civilization or education character open to all races. They have not however sufficient evidence before them either from a political or geographical standpoint to say in what manner this desirable end can be reached. In these circumstances, His Majesty's Government propose that an inquiry should be undertaken by the High Commissioner when appointed, as to what is the most practicable action to be taken in this direction in the immediate future.

## East African Indian Congress.

At the 9th session of the East African Indian National Congress held in Nairobi on the 6th, 7th and 8th December 1929, the following resolutions according to "The Democrat" of Nairobi were passed —

(1) This Congress reiterates its strong protest against the continuance of the Educational Cess and has noted with dismay the warning of the Governor that the Cess will have to be increased. It reminds the Government that when the Cess was first imposed, Government promised that it would be only for a short time, and is now firmly of opinion that the time has arrived for its repeal.

(2) This Congress draws the attention of the Government of Kenya, Uganda, Tanganyika and Zanzibar to the inadequacy of medical relief provided in the various territories for the Indian community and requests the Governments concerned to provide for suitably equipped hospitals for Indians within their respective jurisdiction. (Proposed from the Chair).

(3) This Congress is strongly of opinion that the present quarantine arrangements are inconvenient, inadequate and unsuitable and requests that the principal quarantine station on the East African Coast should be located in Mombasa (Proposed from the Chair.)

### Common Electoral Roll.

(4) This Congress once more heartily welcomes the support which the members of the Closer Union Commission gave to the principle of the Common Roll and the Common Franchise, but protests against their recommendation that the consent of the European non-official community should be first obtained and requests the Imperial Government to declare in favour of Common Electoral Roll and franchise without any further delay and without waiting for the consent of the Europeans of Kenya.

[An amendment was moved to the effect that if the Imperial Government did not accede to the request the leaders of the Indian community in the three territories should refuse to pay the Poll Tax and the Education Cess. The amendment was hotly debated for four and a half hours, but was finally withdrawn after a strong appeal by Mrs. Naidu had been made not to take this line of action and the original motion, above recorded, was adopted.]

### Boycott of Councils.

(5) The Congress noted with regret that the communal franchise still continued to be the basis of the constitution of Kenya and was therefore compelled to reaffirm the policy of non-participation in the Legislative and Executive Councils of the Colony.



(6) In pursuance of the same policy, the Nairobi Indian community were requested to continue to abstain from participation in the Nairobi Corporation.

(7) In view of the special circumstances of Mombasa this Congress re-affirms that it would have no objection to the participation of Mombasa Indians on the Municipal Board but with the view to preventing any possible misrepresentation of the attitude of the Indian community on the question of a Common Franchise, this Congress once again requests the Indian citizens of Mombasa to continue to abstain from taking part in the Municipal Board.

(8) This Congress extends a similar request on similar grounds to the Indians living in the district townships. (Proposed from the Chair.)

### The Constitution of Kenya.

(9) This Congress is strongly opposed to any change in the present constitution of Kenya tending to the increase of the power and influence of European non-officials as contemplated in the Commission's report and emphatically urges upon the Government the supreme necessity of retaining an official majority intact in the Legislature of Kenya.

(10) This Congress reiterates its protests against the reservation of Highlands for Europeans in Kenya. This Congress earnestly desires that Government should take immediate steps to safeguard sufficient land for the present and the future needs of the Africans, but after this has been done early steps should be taken to alienate land to Indians to such extent as to bring up the acreage held by Indians to the level of that held by Europeans at present and that all further alienation of land to Europeans should cease in the meantime. This Congress requests Government to afford equal opportunities for agricultural and industrial as well as mining enterprise to all immigrant communities. This Congress is of opinion that a Land Tax for all agricultural land held by immigrant communities should be introduced in this Colony at the earliest possible opportunity. This Congress is also of opinion that undeveloped land should be taxed more heavily than developed land. This Congress is of opinion that the Government of Kenya is neglecting the question of Indian agricultural development in this Colony and request the Government of India to delegate an agricultural expert to examine and report on the possibilities of developing Indian agriculture in Kenya and Uganda without detriment to African interests. This Congress desires that the Government should grant the right of free transfer of land among immigrant communities without consideration of the race of the parties concerned, this Congress is of opinion that all land sales should be made by public auction and not by tender.

(11) This Congress opposes the application of the Domestic Servants Ordinance to Indian employees and urges that the application be at once repealed.

(12) This Congress supports the Pandya minority report of the Tariff Committee.

### Trade Commissioner.

(13) This Congress regrets the delay on the part of the Government of India in regard to the appointment of a Trade Commissioner in East Africa, and urges that the appointment of a non-official Indian as Trade Commissioner be expedited.

(14) This Congress requests the Government of India to open a Trade Information Bureau for East Africa in various centres in India.

(15) This Congress fully sympathises with the Indians in Fiji in their fight for equality of status with Europeans in that Colony and supports their movement in the direction of non-participation in the Legislature till their goal is achieved.

### Federation and Tanganyika.

(16) With reference to Kenya and Uganda, this Congress is firmly and uncompromisingly opposed to any scheme of political federation or union of the two territories and is convinced after reviewing the events and official statements of the last few months that economic federation will be utilised as a thin end of the wedge for making the advent of political federation easier. It is therefore of opinion that no scheme of economic federation as distinguished from administrative co-ordination should be forced on either of the territories which expresses itself definitely against it. If any kind of federation is forced on them this Congress is of opinion that the following safeguards are absolutely essential. Indian interests should be effectively represented by Indians on all advisory and other councils that may be set up in East Africa and London on equal basis with non-official Europeans. Racial questions should be reserved for decision by the Colonial Office in London. The Central Authority should be required to consult his advisory council in all matters involving racial issues before making recommendations and members of the Advisory Council should be at liberty to communicate differences of views directly

## EAST AFRICAN INDIAN CONGRESS

to the Imperial Government. One of the Private Secretaries of the Central Authority should be an Indian officer belonging to one of superior civil services in India.

(17) Whereas the Mandate guarantees equality of status to all people inhabiting the Tanganyika Territory and whereas federation or closer union in any form is bound to prejudicially affect the autonomy of Tanganyika, in particular the status of Indians, this Congress is strongly opposed to the inclusion of Tanganyika in any scheme of federation or closer union.

This Congress is strongly of opinion that the long-standing demand of Uganda and Tanganyika for equal representation with Europeans on the Legislative Council should be met without further delay and requests the Government of Tanganyika to increase the number of Indians on the Legislature of those territories to that of non-official Europeans.

(18) This Congress draws the attention of all classes of the Indian community in East Africa to the great need for conserving funds in East Africa for social, political, educational and other works in these territories and is of opinion that appeals from India for funds from East Africa should generally be discouraged except in cases of grave emergencies or needs of the national struggle.

(19) This Congress urges upon the Governments of Kenya and Uganda to give immediate effect in the Imperial Government's decision of 1923, on the issue of segregation in Kenya and Uganda.

## Taxation.

(20) This Congress requests the Governments of the East African territories to institute at once an enquiry into the incidence, sources and methods of taxation.

(21) This Congress appeals to the Indian landlords in the East African territories to keep the rents as low as possible consistent with a reasonable return on their capital outlay.

(22) This Congress strongly condemns the Motor Traffic Ordinance of 1929 which is intended to handicap healthy competition of the Motor Transport with Kenya and Uganda Railway which is a State concern and as the said Ordinance will result in an undue and artificial increase in the cost of transport.

(23) This Congress appeals to the Indian community in East Africa and to the various Indian organisations in particular to expedite the collection and remittance of funds for the Desai Memorial Hall in view of the fact that the foundation stone of the building has already been laid.

(24) This Congress requests the Government to grant permanent leases in Nairobi, to Indian shamba holders who now hold same on yearly leases.

(25) This Congress is of opinion that the trade licensing fees in Kenya are excessively heavy and should be based on the following sliding scale. —

Shillings	...	... 10	upto	Shillings	... 2,000
Shillings	...	... 30.	upto	Shillings	... 10,000
Shillings	...	... 150.	upto	Shillings	... 25,000
Shillings	...	... 300.	above	Shillings	... 25,000

## Indian Penal Code.

(26) This Congress strongly protests against the attempt of the Government of Kenya to replace the Indian Penal Code with uncodified English Criminal Law.

(27) This Congress resents the action of the Government of Kenya in restricting the benefits of the land bank exclusively to the European settlers of this Colony, and strongly urges upon the Government to extend its benefits to the Indian community.

(28) This Congress is strongly opposed to the passing of the Native Land Trust Bill before the question relating to Native Land tenure is settled to the satisfaction of the African communities.

# Indian Students in London.

## Report of the High Commissioner.

The Secretary to the High Commissioner for India, London, in forwarding to the Government of India, the report on the work of the Education Department of the High Commissioner's Office during the academic year ending the 30th September 1929 prepared by Dr. Quayle, the Head of the Department, says "inter alia" that a perusal of the report will show how the nature of the work performed by the Department has developed during the last five years. The Education Department of the High Commissioner's office has not in the past been in a position to assist Indian students in regard to academic training on the Continent, but it is endeavouring, wherever possible, to establish contact and render useful help.

The interesting particulars furnished in the report illustrate the notable success obtained by many Indian students in the academic life of British Universities. Sir Atul Chatterjee has also watched with pleasure the athletic success to the credit of an increasing proportion of Indian students in this country.

It is, in the opinion of Sir Atul Chatterjee, a great mistake on the part of both the student and the parent to try to obtain conditions for training different from those which are the ordinary rule of the trade for British students and apprentices. Thus, many Indian students suffer from attempts to secure a training without the payment of the customary premium or by asking for a wage where it is not the practice of the trade to pay a wage to trainees. Sir Atul Chatterjee has devoted a great deal of attention during the last few years to this question of practical training of Indian students in Europe, and he considers it a matter of congratulation that during the year under report his Office was able to place as many as 115 students for practical training in different branches of engineering and technology. He is deeply grateful for the ready assistance given by many eminent firms.

For some time past Sir Atul Chatterjee has been much concerned at the increasing difficulty which Indian students who have obtained a sound professional or academic training in this country are experiencing in obtaining suitable employment on their return to India. He realises that the right policy for employers in India, whether Government Departments or private firms and manufacturers, is to select their employees in India, and he understands that this policy is now being definitely followed both by the Public Service Commission of the Central Government and also by other administrative authorities. At the same time, vacancies occur only occasionally in appointments of a specialised character, and the best type of Indian students in Great Britain, namely, the postgraduate and research scholars, are often debarred from being considered for these posts owing to their being in England instead of in India at the time the vacancy is advertised. The High Commissioner has been in correspondence with the Public Service Commission in this matter, and he trusts that measures will be adopted which will not handicap competent young Indians who happen to be pursuing postgraduate work away from India. As indicated on previous occasions, Sir Atul Chatterjee hopes that the Education Department of his Office may eventually be an effective agency for bringing the qualifications of Indian students in Great Britain to the notice of employers in India. He is therefore glad to observe that, British firms with works or agencies in India are beginning to consult the Education Department of his office in this respect.

Sir Atul Chatterjee appreciates the valuable work of the various societies and institutions which interest themselves in Indian students, and he is particularly glad that the Indian Students' Loan Fund has, within recent months, enlisted the support of several gentlemen among the Indian visitors to Europe. On previous occasions, the High Commissioner has suggested to parents in India that young students intending to come to this country should always be very carefully medically examined regarding their fitness for hard work in this British climate. He regrets to find that cases of neglect of this precaution are still too frequent.

## The Report.

Following are extracts from the report —

From the figures given below it will be noted that though there is a decrease, as compared with the previous year, in the number of individual students who have been interviewed, the actual number of interviews granted during the period under review has increased. This increase is mainly due to the fact that students are now keeping in constant touch with the Department, and come regularly for further information or guidance or to report on their work and progress —

			1927-8	1928-9
(1)	Number of students interviewed	...	1,471	1,343
(2)	Number of interviews	...	4,060	4,545
(3)	Letters received	...	15,023	16,766
(4)	Letters despatched	...	13,836	15,399
(5)	Number of cases in which offers of admission were obtained from educational institutions (excluding Inns of Court)		338	320

Three hundred and ninety-one students were formally under the charge of the Department during the period under review, including 272 State and special Scholars, 9 students in receipt of grants or allowances from Memorial or Trust Funds, 83 Indian Civil Service probationers, and 27 private students entrusted to the care of the High Commissioner.

Five hundred and forty-nine applications for admission in October 1928 were received. The total number of admissions arranged to Universities, Colleges, and educational institutions generally was 320. Two hundred and thirty-two letters of introduction to tutors for the Indian Civil Service and other examinations were furnished, and 15 Indian students were placed as resident pupils with tutors. Eleven of the 17 Indian students who were among the 52 successful candidates at the Indian Civil Service Open Competition held in August 1929 had been provided with tutors in the Department.

From a return supplied by the Office National des Universités et Ecoles Françaises, Paris, it appears that during the period under review there were 34 Indian students pursuing courses at French Universities, 15 in Arts, 9 in Science, 9 in Medicine, and 3 in Law. Twenty-four of these students were at the University of Paris, 4 at the University of Montpellier, 2 at Strasbourg, 1 at Lille, 1 at Toulouse, 1 at Poitiers and 1 at Nancy. Special mention may be made of the Indian College, Montpellier, which has been established by Professor Patrick Geddes. One of its main aims and objects is, in the words of the Director, "to seek to realise in common fellowship of study the meeting of East and West." Advanced students are especially invited for training and research in their various branches of knowledge. Ten Indian students have been in residence at the College, of whom 6 have already got their Doctors' degree. Since September 1929 the building of the Indian "College" has been in progress, and it is expected that part will be completed by the summer of 1930. Meantime, the Indian students are accommodated in the Scots "College." Mr. E. B. Havell, the well-known writer on Indian art and architecture, now assists Professor Geddes in the personal direction of the College.

In the Summer semester, 1928, the total number of Indian students registered at German Universities was 47, of whom 24 were at Prussian Universities, 12 at Technical College and 1 at an agricultural College. Seven were pursuing courses in Medicine, 8 in Engineering and kindred subjects, 8 in Forestry and 9 in Chemistry, all at the postgraduate stage.

The ninth annual report of the Director of the Institute of International Education, New York, shows that during the session 1928-9 there were 213 Indian students at the Colleges and Universities of the United States during the year 1928-9 as compared with 198 for the previous year. This figure excludes a number of other Indians of the student type who are employed in industrial and professional training of various kinds, but whose names are not recorded on the books of any of the Universities or Colleges.

## Practical Training.

Despite the many difficulties in the way, a large number of students have been placed for practical training during the period under review. Nevertheless, the position can scarcely be regarded as altogether satisfactory in view of the increased number of students who are coming to this country for courses of study in engineering and technology generally, and who naturally require to supplement their University or College courses by a period of practical training. As a rule, it has been found possible to place applicants

who desired training in the various branches of engineering, the only exception being the heavy side of electrical engineering. The large electrical engineering firms accept each year a small agreed quota of Indian students, but as the applications are largely in excess of the vacancies available, arrangements have been made to place students with several other firms, where excellent facilities in various branches of electrical engineering are available. In addition, a number of students have been accepted by foremost firms in Germany and Sweden, where they have been given a thorough training. In this connection it may be pointed out that qualified applicants who are still in India should make their applications for training facilities in electrical engineering through the Indian agents of the firm whose works they wish to enter. They cannot be considered for any of the vacancies reserved by the large electrical engineering firms for Indian students who have taken a degree in electrical engineering in this country.

Amongst the branches of industry, where it has been found difficult or altogether impossible to secure practical training facilities for Indian students, may be especially mentioned textile mills and chemical and allied manufactures. During the period under review the whole question has received the careful consideration of the High Commissioner, who has from time to time discussed the matter with leading industrial and other authorities. The High Commissioner has also addressed important gatherings of manufacturers and industrialists at Birmingham, Newcastle, and elsewhere, on the subject, and on these occasions he has pointed out that Indian students who receive training in works and factories in this country would probably be in a position when they returned to India to foster the sale of British goods in their own country, so that the manufacturers concerned would be bound in due course to reap benefit from the training facilities which they had provided. It is gratifying to record that this point of view is being appreciated to an increasing extent by British manufacturers, who, in consequence, are showing greater readiness to accept Indian students for practical training.

#### Government Scholars.

The total number of Government scholars and other special students under the supervision of the department during the period was 281. Satisfactory reports on their work and progress were generally received during the period under review. The academic and other distinctions which they gained are recorded under their respective universities, but special mention perhaps be made of Dr. P. K. Ghose, Government of India scholar, who during the period under review crowned a very successful course of study in this country by obtaining the D. Sc. degree of the University of London and subsequently an appointment to the Indian Geological Survey.

#### Social and Welfare Work.

The Report of the House Management Committee of the Hostel at 21, Cromwell Road, which covers the period from 1st April 1928 to 31st March 1929, records another year of good and useful work on behalf of the students.

During the year covered by the report 410 individual students were accommodated in the hostel, several more than once, as against 327 for last year.

The Indian Students' Union and Hostel, Gower Street, records another year of valuable service on behalf of the Indian student community. The membership for 1928 was 585 of whom 356 were new members and 229 renewals.

The Indian Gymkhana Club had again a successful year. Out of the 52 completed games of cricket 80 were won and only 18 lost.

A surprising number of cases of serious mental illness came to the notice of the department during the year. In each case the student concerned was at once visited by an officer of the department and arrangements promptly made for his proper treatment in a suitable institution. Two students unfortunately died whilst undergoing treatment, four recovered after treatment of whom two have since been repatriated to India, and two are still under treatment in mental hospitals. In each instance the parent or guardian was notified and periodical reports on the progress of their sons or wards were sent and the funds remitted from India for medical and other expenses were disbursed and accounted for by the department.

A number of cases of serious illness, including tuberculosis, were also notified, and two students unfortunately died, whilst a third was killed in a motoring accident. In each case the department took charge of the affairs of the deceased and in due course rendered an account to the parents or guardians in India.

#### General Observations.

Only a strong public opinion, fostered and supported by official action, both on the part of Government and the universities, will succeed in discouraging the going abroad of

young, immature and unqualified students. An official announcement in plain and emphatic terms to the effect that a British degree or training is in no way an essential qualification for the various Government appointments would be bound to have effect in the way of encouraging young students to stay in their own country. It is true that the regulations for many service appointments make it quite clear that Indian University degrees are in themselves a sufficient qualification, but the fact that a British qualification is in itself no additional or better qualification apparently needs to be strongly emphasised. The Indian Universities would be in a position to reinforce an announcement of this kind, especially through the Information Bureaux which are now established in close connection with them. Finally, if the press will play its part, it is not too much to hope that slowly, but surely, Indian public opinion would be roused and steps taken to discourage, if not to prevent, the annual migration of a large number of students who would be better advised to stay in their own country.

It is scarcely necessary to say that the comments which have just been made refer to a proportion only of the Indian students who come to this country. Fortunately there is a brighter side to record which finds its reflection in the large number of academic successes and distinctions gained by Indian students at most of the British universities.

As in certain quarters there appears to be a little misconception as to the present duties and functions of the department, it may not be amiss to indicate them as briefly as possible. To begin with, the department is the main channel through which applications for the admission of Indian students are submitted for the consideration of the British universities, colleges and educational institutions generally. An Indian student is, of course, at complete liberty to submit his application direct to any university, etc., in this country but an ever-increasing number now find it more satisfactory to apply through the department as they can thus often save themselves considerable trouble and inconvenience. Moreover, practically every British university, etc., has now adopted the practice of referring to the department applications received direct whenever they require more definite information as to the educational or other qualifications of individual applicants. As copies of the current calendars and prospectuses of all the Indian universities etc., are kept in the department, it is generally possible to verify immediately degree or other results and to supply particulars of Indian university courses so that reference to India by the British university concerned and much consequent loss of time is thereby saved. This has led in recent years to a great increase in this side of the Department's work, but it can fairly be claimed that Indian students generally derive undoubted benefit from this procedure.

This function necessarily has as a corollary the duty of watching the general regulations of British universities so far as these may bear on the admission of Indian students. Each new regulation has to be carefully examined from this point of view, and correspondence on the subject has frequently to be supplemented by personal discussion and explanation with the object of safeguarding, as far as is possible, the interests of members and graduates of Indian universities. In this connection constant touch has at the same time to be maintained with the Governments and universities in India so as to ensure that Indian degrees and diplomas receive their due recognition by university authorities and the governing bodies of professional institutions in this country. It is most important that a student who comes to this country after taking a degree or other qualification in India should know exactly for what concession or exemption he is eligible in respect of the academic or professional course of study or training which he proposes to pursue here.

Whilst a considerable correspondence takes place with individual students as well as with the universities to which they seek admission, it should be noted that in the majority of cases this correspondence is supplemented by personal interviews with the students themselves, the majority of whom, as soon as they arrive here, call at the office of the High Commissioner for further information and guidance. Each interview necessarily involves the personal attention of a responsible officer and may take up any time from ten minutes to as long as an hour. Some idea of the work which these duties involve may be gathered from the fact that, as shown in para 2, over 4,500 personal interviews with Indian students took place during the academic year 1928-9, an average of nearly 90 each week. During the months of August and September when the majority of new-comers arrive the number of interviews actually rises to well over 800 a week. These figures do not include the large number of students who are each week granted personal interviews with the High Commissioner.

The Department also makes arrangements, when requested to do so by parents or guardians, for the admission of Indian boys and girls to English preparatory and public schools, as well as for residential tuition in various parts of England. In no case is a school or tutor recommended unless a personal visit or inspection has been made by an

officer of the Department. With this work may be linked that involved in the supervision of the students specially entrusted to the care of the High Commissioner during the period of their education in this country. Before the educational charge of a student is accepted, a detailed estimate of the annual expenditure involved is prepared and sent to the parent or guardian in India, and on the student's arrival his studies are directed and supervised, and the fun is sent for his education and maintenance are retained, disbursed, and accounted for by the Department.

It follows that in order to be in a position to carry out its advisory work with accuracy and despatch, the Department has to maintain itself as an up-to-date bureau of information covering the whole field of education. For this purpose the calendars and prospectuses of both Indian and British universities and educational institutions generally have each year to be collected and indexed so as to be available for immediate reference. In addition full particulars of the courses of study and training at all British universities and colleges, etc., and of the regulations which must be satisfied in order to obtain the principal professional qualifications such as medicine and surgery, law, accountancy, etc., are compiled and embodied, together with general information about fees, cost of living, etc., in a 'Handbook for Indian Students,' large numbers of which are each year sold in India and in this country. The fifth edition of this "handbook," the value and utility of which Indian students are among the first to acknowledge, is in preparation and will be published early in 1930.

The foregoing remarks apply in the main to the work done for private students, that is, those who come to this country at their own expense. Reference may now be made to the various classes of students who come under the official supervision of the High Commissioner. This category includes first of all the State scholars sent to this country by the Central or Provincial Governments for various courses of study or training. One indication of the growth in this branch of the Department's activities may be gathered from the fact that the number of scholars has more than doubled itself during the past five years.

It need only be mentioned here that the subjects for which scholarships are awarded tend to increase each year and that for the period under review, in addition to all branches of science, medicine, engineering, agriculture, technology etc., arrangements have had to be made for new scholars in art, aviation and marine engineering. The Indian Governments are in constant consultation with the High Commissioner by letter and cable regarding the university or other courses which will best meet the special purpose for which scholarships are to be awarded, and each scholarship thus involves a large amount of preliminary correspondence before the selected scholar arrives in this country. Each scholar on his arrival reports to the Department and is given the necessary instructions together with letters of introduction to the professors or others under whom he is to work. His course of study or training is supervised in collaboration with the University or other authorities and the quarterly instalments of his allowance are paid, subject to the receipt of satisfactory reports on his progress by the Department by whom, on the completion of his course, arrangements for the return passage to India are made. Where the expenditure of public money is involved, there must of necessity be control and supervision and at times though happily very rarely it is found necessary to take disciplinary action against scholars who have neglected their studies or whose conduct has not been satisfactory. But the scholars soon realise that the Department takes a real and genuine interest in their work and welfare and they show their appreciation by constantly writing or coming personally for advice and guidance.

In addition to the Government scholars the High Commissioner has accepted at the request of the Indian authorities concerned, the supervision of the scholars sent to this country by various Indian States as well as those who come with scholarships or grants from various private charities or trusts. The number of such students during 1928-9 was 30.

A large proportion of the scholarships awarded by the various Indian Governments are for technical training, and the Department, in collaboration with the Indian State Department, has to make arrangements for placing the technical scholars in factories, works and on railways for practical training in various branches of engineering and technology. Private students are also assisted to obtain these facilities as well as to obtain professional training in such subjects as Accountancy, Insurance, Banking and Architecture, etc. It need only be added here that practically every case involves a good deal of correspondence as well as in many instances personal negotiations with companies and firms.

It may also be mentioned that the Department is frequently called upon to advise about suitable courses of study and training for and to arrange for the admission to universities, etc., of officers in Government services who have come from India on study leave or deputation.

## INDIAN STUDENTS IN LONDON

Since 1925 the charge of the probationers for the Indian Civil Service, both Indian and English, has been entrusted to the Department, by whom the arrangements for the admission of the probationers selected or nominated in India to one of the universities where they may spend their probationary years, are made. This branch of the Department's activities also includes correspondence with the Government of India, the India Office, the Civil Service Commissioners and the British Universities on the subject of the course of study during the probationary years, the payment to each probationer of the quarterly instalments of the allowance, and the arrangements in due course for his passage to India when he sails to take up his appointment.

The foregoing account of the activities of the Department may fitly be concluded with a brief reference to what may be termed the social and welfare work of the Department, which is a heavy and exacting branch of its duties. The work includes general supervision over three special institutions, namely, the Government Hostel for Indian Students at 21, Cromwell Road; the Indian Students' Accommodation Committee, instituted in 1926 to prepare and maintain a register of suitable lodgings in London and neighbourhood, and to assist all students seeking advice in the matter of suitable accommodation; and the Indian Students' Loan Fund, privately subscribed, but also subsidized by the Government of India, for the purpose of relieving cases of temporary distress and of assisting stranded students to return to India. This branch of the work of the Department also includes a considerable amount of miscellaneous work in the shape of advice and assistance to individual students who are the victims of illness or accident, or who find themselves for various reason in some difficulty or another. The duties of the Department in such case includes arrangements for proper medical attendance, admission to hospital, arrangements with creditors and the consequent correspondence with relatives in India. The value and necessity of work of this kind is obvious and many parents in India have reason to be grateful and have not been slow to express their gratitude.

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# British India and Indian States.

Jan. - June. 1930.



# The Baroda State People's Conference.

The 8th. session of the Baroda Praja Mandal (People's Conference) was held at Navsari on the 18th. MARCH 1930 under the presidency of Dr. Sumant Mehta. The following is a summary of the speech delivered by Rao Bahadur Bhimbi R. Naik, as Chairman of the Reception Committee —

"You are aware that most of my public work has been done in British Gujrat but I accepted the invitation to take up the Chairmanship because it is a privilege to work with the great popular leader Sardar Vallabhbhai who was elected to preside over this Conference. Unfortunately, this bold fearless leader has been jailed. It is a matter for satisfaction that we have secured in his place Dr. Sumant Mehta, another leader who has devoted his life to public work and sacrificed his all for national good. You have come from distant parts in spite of hot weather and I extend to you a warm welcome to this conference.

"When the whole country is discussing whether we should be content to accept Dominion Status or fight for Purna-Swaraj, when the political leaders in Great Britain are sincerely considering as to how much the Government should concede, when ideas of political emancipation are pervading the whole country it is but natural that the people living in Indian India should be affected by the very same ideals. Really speaking, one would expect that such ideals of patriotism and Swaraj should have originated in Indian India first and that such ideas would be fostered by the Indian Princes. That would set a good example to the British administrators. If, for instance, after 25 years of free and compulsory education the people here remain irresponsible to political and social reforms, then surely there must be something wrong with that method of education.

"The annual income of Baroda Raj is 246 lakhs half of which is derived from land revenue and 35 lakhs are derived from excise. It is an accepted fact that the land revenue in British Gujrat is very heavy and now there is a revolt against it. If the revenue demands in the Baroda State are heavier even than this it is surely intolerable. In this respect I hold that the Kheduts are being bled white and that the people of British India and of this State will not tolerate this policy any longer. The land tax in Navsari Prant is about Rs. 6 per head, in Surat District it is Rs. 4 per head. The condition of the Khedut is getting worse day by day and they are getting deeper in debt. I make bold to hope that H. H. the Maharaja Sahib would take immediate steps to reduce the tax. It is against all rules of finance and against humanity to tax people more than absolutely necessary. Here the Government has copied the British excise policy of increasing the revenues at the cost of the real welfare of the people. The population of Navsari District is 340 thousands and the excise revenues are 22 lakhs or 6.4 per head. It does not behove a State which inaugurates legislation for social reform to spread the habit of drink in this fashion. With a surplus of 40 to 50 lakhs the Baroda State can well afford to give up this tainted revenue altogether. Education should be made more popular and suitable and the backward induced to send their children to school. There is need of opening boarding

schools for these backward communities. I wish to express my appreciation of the excellent development of the library system in Baroda. There are as many as 723 libraries with 4,94,654 books. It is up to the people to make the utmost use of these libraries and turn out good citizens. In the matter of the resuscitation of village Panchayats the Panchayats should be, in my opinion, entirely popular and should be presided over by non-officials. It is essential that they should have proper means of finance. There are 217 schools for Antyaj children, with 16,220 children. In some place His Highness has remarked that God has not differentiated children into touchable and untouchable. The Government which is representative to the people and responsible to the people is the only form of Government which would satisfy the people, in fact that is the only way in which the political, social, religious, and moral progress is made possible. I therefore request His Highness to introduce without delay such reforms as would lead to the happiness both of the rulers and the ruled. The happiness of the rulers and the ruled is inter-dependent and the reforms in administration are absolutely essential."

#### Presidential Address.

The following is the presidential address of Dr. Sumant Mehta.—

"We are meeting at a time when the attention of the world is drawn to the unique fight of non-violent Civil Disobedience started by Mahatma Gandhi. The object of our Praja-Mandal is to bring happiness to the 21 lakhs of people belonging to the Baroda State but let us always remember that we are all Indians first and Barodites afterwards. In spite of our differences in race, colour and religion we are all children of Mother India. The fight for Purna Swaraj is for the whole 32 crores of her sons, and we cannot possibly remain neutral or indifferent.

"Let there be no useless discussion as to whether social reconstruction should precede political work. No water-tight distinctions exist between social, economical and political problems. Both at Bardoli and at Karjan in our Raj there has been a social awakening and where there is no awakening you fail to tackle any problem successfully. We have to shake the people out of their sloth and lethargy. The inertia must be destroyed and then the power of initiative will develop. I assure you that it is not difficult to awaken the masses provided that you have a number of full-time workers. Our main work in this conference is to secure the services of such whole-time workers, either honorary or paid. I wish we could start eight centres of work, three in each large district and two in each small ones. If I am not interned, after the release of our President Vallabhbhai, I desire to take charge of one of these eight centres. I entreat you not to waste your breath in getting some of your favourite resolutions passed. Such resolutions serve no good purpose if behind them there is no or little strength of popular Will. Remember that until now our Maharaja has not received our deputation even once. I am perfectly confident that as soon as we establish our permanent offices, the injustices, forced labour, bribery and other grievances will dwindle and disappear. I fully believe that the voice of the people is the voice of God, but where the voice of people is discordant or weak how could you expect divine prestige?

"We have to teach people to respect themselves; whether a man is poor or rich he must become a self-respecting person. We shall have to never to treat anyone with contempt and we must prevent

anyone being treated disrespectfully. We must wipe off the distinctions of high and low. Without the spirit of equality self-respect is impossible. Similarly without self-respect you cannot command self-respect. It is the force of character which counts. In our country it is the pure men of high character who have received highest homage. I look upon this as the legitimate work of our conference. The removal of untouchability must definitely be a part of our programme.

"Now, I will draw your attention to the terrible condition of our agriculturists. During the last three years they have suffered successively from floods, frost, draughts and locusts. Their condition has become desparately miserable and yet the Government has not shown them all adequate consideration. The very system of giving remissions is so pernicious that the Khedut rarely gets remissions in time. The method of assessing the crops is high-handed and harsh. Two retired officials of our Raj of high standing told me frankly that it is only now that they realise how the Kheduts suffer from innumerable disabilities and injustices. It is absolutely essential that our land revenue code must be scrapped and re-made.

"The education department is concentrating its energies on retrenchment. I am given to understand that the poor Dublas who are really more backward than Kali-parajs, in fact who are reduced to serfdom, were told that if they wanted a boarding school they should provide a sum of Rs. 2100 per year. Possibly if all the 200,000 men's property is sold once for all that would not fetch Rs. 2000. The children of the educated classes get free education and the serfs must contribute half expenses. Similarly, the problems of muslim education require a committee of inquiry. There is only one middle school (attached to the City High School) for girls in the whole Raj. People are dying of small-pox, influenza and other diseases and yet the Government does very little for sanitation and medical relief in the villages. Our hard-earned money goes to the extent of Rs. 2½ to 3 crores every year and so much of it is merely wasted. Mr. Seddon of the I. C. S. who was once Dewan of Baroda wrote a note on the Retrenchment Committee Report in which he said to the effect that "For retrenchment every eye turns of the Khangi (Privy Purse) Department. People know that a large sum of money has accumulated in that Department and every year Rs. 20 lakhs are added to it. Even if a large out is made in the annual Privy Purse the Maharaja's family would not have to sacrifice any comfort or pomp necessary to his high status. I feel confident that His Highness would rather cut down his allowance than allow any department to suffer on account of undue retrenchment." We are afraid that Mr. Seddon's faith is not justified. About seven lakhs are spent on palace additions in the P. W. D. every year, while a small village school, a village dispensary or a sewing class is refused grant for want of money. People die of dirt and disease. The farmer sells off his cattle, land or ornaments in order to pay land taxes while the Government servants mechanically get their promotions in pay.

"The children of the Sardars who fought by the side of the Gaekwars are being impoverished, the subjects of petty landlords are crushed by over-taxation. I want the youth of Baroda to come under the banner of this Praja Mandal and fight for truth and justice. Knock and thou shalt enter. The time has come when the youth will be weighed in the balance.

"It is only through self-help and Swaraj that happiness is attained. We must organise our popular forces, train our volunteers and spread of

throughout the four corners of our Raj. Remember that all the forces which are evolving Swaraj in the adjoining territories are bound to influence our people also. If we are full of enthusiasm, if we are confident of marching forward let us go ahead. Our work does not stop at criticising others, we have to lead the way.

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## Pudukottah State People's Conference.

The following are some of the important resolutions passed at the Pudukottah State People's Conference, which was held at Pudukottah on 10th & 11th JANUARY 1930 under the presidentship of Mr. A. Rangaswami Iyengar, Editor, "the Hindu".

The resolution referring to the establishment of full responsible Government in the State under the aegis of the Raja ran as follows —

(a) "This Conference declares that full responsible Government should be established in this State under the aegis of the Raja as early as possible and is of opinion that the introduction of the reforms necessary for the purpose should not be delayed on any account. (b) This Conference declares that the scheme of responsible Government to be introduced in this behalf should include (1) the establishment of a wholly elected legislature with plenary powers based upon adult franchise with exclusive powers of legislation and control over the finances of the State including taxation and expenditure; (2) the creation of an executive responsible to that legislature in all respects consisting of a Dewan to be chosen from the legislature possessing its confidence and other ministers chosen by them; (3) the introduction of such other measures and institutions as are necessary and incidental to the status of this State as a fully autonomous unit in a Federated Indian constitution based upon Dominion Status."

"This Conference accepts the principle of a Dominion constitution for India including the Indian States and while approving generally the outlines of the Scheme of Federation adopted at the South India States' Peoples' Conference held at Trivandrum on the 14th January 1929 appoints a committee consisting of the President, (Mr. A. Rangaswami Iyengar), Mr. K. Swaminatha Aiyar, Mr. S. Visvanatha Aiyar, to consider the said outlines and report whether any modifications may be made therein in the light of later events and make recommendations with a view to the discussion and acceptance thereof on behalf of the Indian States by the forthcoming Round Table Conference or any other Conference that may hereafter meet to settle the future constitution of India. (b) This Conference considers that the subjects of the Indian States ought to be represented in the Round Table Conference equally with the rulers and suggests the names of Sir M. Visweswaryya, Dewan Bahadur M. Ramachandra Rao and Mr. S. Satyamurti as representatives from South India for this purpose."

A resolution was passed urging on the Government to take steps by means of legislation for putting down the drink evil. Mr. Natesa Sastri while accepting the principle said that it was not enough if this State alone took steps for eradicating this evil. Unless the surrounding districts did so, it might be impossible for the State to introduce such a legislation in the State as the revenue now derived by the State would go to the British treasuries. They should educate the people and explain to them by lectures the evil consequences of drink. Mr. Kailasa Ambalagarrar said that it would be impossible to stop one who was addicted to drink from his practice abruptly. He therefore suggested the issue of a license to the person who drank and unless the man was in possession of that license issued by competent authorities on payment of a fee, neither arrack nor toddy should be sold to him. He also urged that such licenses should not be issued to persons below the age of 18. He thought that if such a rule was made the Government would gladly accept it.

The Conference also appealed by means of resolutions to the people of the State to remove untouchability and put a stop to the practice of annual sacrifices in the temples and in the public streets.

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# The Chamber of Princes.

OPENING DAY—25th FEBRUARY 1930.

The ninth session of the Chamber of Princes was opened at New Delhi on the 25th February 1930 by H. E. the Viceroy who arrived at eleven accompanied by his staff. The session was largely attended and no less than 52 Princes and Chiefs were present. It was the first time since the inauguration of the Chamber when the States of Hyderabad and Mysore were represented by the principal State officials. The following is the full text of His Excellency the Viceroy's speech in opening the session of the Chamber —

## Lord Irwin's Speech.

I welcome your Highnesses with great pleasure to this ninth session of the Chamber of Princes. It is hardly necessary for me to refer to those preoccupations which have tended, during the past months, and which will tend still more in the future, to absorb our thoughts. They concern matters of great moment in the future of States as part and partners of the Indian Empire. I have no doubt that Your Highnesses share with me the feeling that, much of the work done during the past few years, has been a prelude to the even more important deliberations in which we must shortly engage. None of us, I fancy, would be bold enough to claim that we could clearly foresee the future, but with prudence, courage and joint consultation I see no cause to fear that we should fail to find a way through most of our present doubts and difficulties. It is in this spirit of reasoned optimism and hope that I am sure Your Highnesses will approach the business of this session.

When I met Your Highnesses here last year, we were all oppressed with anxiety at the illness of our beloved King-Emperor, and Your Highnesses will recollect that our first business on that occasion was to refer to a telegram of sympathy which, on your behalf, the Standing Committee sent to His Majesty and for which Her Gracious Majesty the Queen Empress had subsequently expressed her grateful thanks. On this occasion, I have to make another and more happy reference to His Majesty's recovery and to the telegram of congratulation sent to His Majesty by the unanimous wish of Their Highnesses of the Standing Committee at their meeting on October 24th last. The telegram was in the following terms —

"At a meeting of the Standing Committee of the Chamber of Princes held on 24th October 1929, H. E. the Maharaja of Patiala, Chancellor of the Chamber, announced that it was the unanimous wish of Their Highnesses of the Standing Committee, at their first meeting after His Majesty the King-Emperor's recovery from a serious and protracted illness, that the sincere gratification of the members of the Committee should be recorded, and that His Excellency the Viceroy should be asked to convey to His Majesty and to the Royal Family an expression of their devoted and loyal greetings upon the occasion."

To that telegram a reply was received from His Majesty as follows. —

"I have received with much pleasure and appreciation the message which you have conveyed to me from the Standing Committee of the Chamber of Princes. Please assure the Chancellor and Their Highnesses of the Standing Committee of my heartfelt thanks for their kind greetings on my recovery from a long and serious illness."

## Tribute to Departed Princes.

Since our last session the Chamber has lost by death His Highness the Maharaja of Bharatpur, His Highness the Maharaja Rana of Jhalawar, H. E. the Raja of Lunawada and the Thakore Sahib of Rajkot. Succeeding to his inheritance in 1900, His late Highness the Maharaja of Bharatpur died before reaching the prime of manhood at the early age of 29. He had been in indifferent health for some time, and his illness was a source of much anxiety to me. The attraction of His Highness' personality as a

member of this Chamber and Your Highnesses' Order was well-known to all of us, and his loss was felt acutely by his friends. H. H. the Maharaja Rana of Jhalawar was one of the original members who attended the inaugural session of the Chamber in February 1921. Born with a natural taste for literature and learning, His Highness was one of those who found particular pleasure in the simpler joys of life, and his death has deprived Your Highnesses' Order of one of its cultivated members. His Highness the Raja of Lunawada was unknown to many of us having been created a Knight Commander of the Most Eminent Order of the Indian Empire so long ago as 1889. His death last year at the ripe age of 68 has left a great void in the State, of which he had so long been the Ruler. The Thakore Sahib of Rajkot, whose sudden and untimely death at the age of 45, took place within the last month, was a broad-minded and progressive Ruler, keenly interested in the social and economic advancement of all classes of his subjects by whom he will be greatly missed. Your Highnesses will no doubt wish to associate yourselves in an expression of sympathy for the bereaved families of these four members of your Order and to extend wishes of happiness and prosperity to those succeeding them in the responsibilities connected with their respective States.

#### The Butler Committee.

Shortly after I last met Your Highnesses in this House, the report of Sir Harcourt Butler's Committee was published, and it has been hitherto considered mainly in connection with the procedure to be followed for the most effective examination of its recommendations and proposals. It is too early yet to enlarge upon these, and, indeed, a minute and detailed consideration of them must await the receipt of the report of that other body which has been concerned with the consideration of constitutional changes in British India. Meanwhile, the views of Your Highnesses will be tentatively expressed during the present session in a series of resolutions which are contained in a general item on the agenda dealing specifically with the report. With respect to these resolutions there is one in particular upon which I would like here to make certain general observations.

There are few of Your Highnesses who would not agree with me in saying that the rare occasions upon which the British Government has been obliged to intervene in the affairs of individual States during the past decade created a record in which all of us must feel some degree of pride. One cracked bell in a peal of bells can prejudice and often destroy the harmony of the whole. In these days of publicity the shortcomings of one unit in the body politic almost inevitably have the effect of prejudicing the reputation of all the other units composing that body. The good repute of Your Highnesses' Order is a matter which I, no less than all my predecessors, have regarded as a peculiar trust. It has been the consistent endeavour of us who have enjoyed the privilege of friendship with many of Your Highnesses' Order to enhance the reputation of those States who occupy a distinguished position within the fabric of the Empire, and it is in pursuance of these sentiments that intervention has been resorted to in recent years in the few cases which I have referred.

To define the degree of discretion vested in the Viceroy in such delicate matter would be a matter of extreme difficulty. Intervention consists normally in an expression of views tending to relieve the effect of an abuse of power. These views are generally expressed at a personal interview between the Ruler and either the Viceroy or his local representative which, in my experience, is always of a most friendly character. Speaking for myself, I have to acknowledge the invariable readiness with which the Rulers have listened to any advice I have felt it my duty as a friend to offer and the generous thanks with which it has frequently been received. In its more important aspect, intervention will be resorted to only in cases where in the interests of Your Highnesses' subjects of India and of the Empire as a whole no other course seems possible. I feel confident that, in the future, the occasions upon which the Viceroy will be called upon to exercise his discretion with regard to intervention will gradually grow more rare. It is the co-operation of the Rulers of States in the interests of good government and of their common good repute which have conduced in the past, and will conduce still more in future to this result.

#### The London Conference.

It gives me great satisfaction that Your Highnesses have viewed favourably the proposal for the Round Table Conference made by Sir John Simon to His Majesty's Government and accepted by them, which was referred to in my announcement of October 31st, 1929, and which is to form the subject of a resolution by His Highness the Chancellor. As Your Highnesses are aware, it will be the duty of the Conference



to consider the views and opinions of all who take part in it upon the future constitution of India. Among other materials that may be before them to assist their deliberations will be the report of Sir John Simon's Commission, the publication of which may shortly be expected, and also that of Sir Harcourt Butler's Committee.

As I had occasion to say two or three weeks ago, it is too early yet to predict with certainty when the Conference will meet or how it will be composed. I hope that all important interests will there be heard, and that, from its discussions and mutual interchange of views, the way will be paved for an agreement between the States and British India in measures considered to be desirable for the further advance of India as a whole towards closer unity. I am assured, both from the conversations which I had with certain of Your Highnesses on the eve of my visit to England last Summer and from the manner in which Your Highnesses received the statement, that it was my duty to make sure on my return that Your Highnesses share this hope. It is scarcely necessary to emphasise the fact that the importance of the Indian States in the body-politic of the country demands that any decisions with which they might be concerned, should receive from them a full measure of support.

#### Development of Communications

Your Highnesses will recollect that, at our session of February 11th last year, I referred to the report of the Roads Committee and to the possibilities which might emerge from it. I fear that the anticipations which have been aroused in connection with the important subject have been in part disappointed by reason of the fact that it has not yet been found possible for my Government to adopt the report and to proceed to carry out such proposals in it as may secure acceptance. In these circumstances, there is little that I can do to add to my remarks of last year, beyond assuring Your Highnesses that the subject is engaging the earnest attention of Government, and I trust that a settlement may be reached before long.

At the last session of the Chamber, I referred also to the question of the future of the Chiefs' Colleges and informed Your Highnesses that my Government were expecting the views of the governing bodies of the Colleges and of the local authorities on the draft scheme prepared for their future governance. Those views have since been received and I hope that before we next meet in this Chamber, decisions will have been reached satisfactory to all concerned with this important subject. The good work resulting from the inauguration of Chiefs' Colleges is a lasting tribute to the foresight of their founders and can scarcely be overestimated. The need for such colleges in the middle and latter years of the past century was great and urgent and they have worthily fulfilled their purpose. Nor could such fortunate results have been possible without the active and sustained assistance of the Princes and Chiefs. The colleges have exercised an important influence in moulding the minds and characters of young Princes of whom many of Your Highnesses are notable examples; and from the time of their foundation, the co-operation of a large number of Princely houses with the governing and teaching staffs has been one of the many happy aspects of the relationship existing between the educational and political officers of the Government and the great body of the States with whom their activities have been so closely and happily allied. But I cannot help experiencing a certain feeling of regret, which I trust will soon be dispelled, that the colleges appear to have suffered some decline in Your Highnesses' esteem and it is my earnest hope that the phase is but a passing one and that your old regard for them will be revived in its former strength. It is a platitude to say that no human undertaking can be beyond the sphere of need of criticism, and criticism of a constructive nature is always valuable for the working of any corporate institutions, educational or other. Changing times bring changing requirements, and it is my earnest wish to do everything possible to ensure the continued existence of the colleges as a medium for giving a sound and useful education to those for whom they were built to serve. We all alike should be concerned in striving to consolidate, and when necessary, to improve where others before us have laboured with such devotion and success.

In his closing speech at our session of February 1929, H. H. the Chancellor drew my attention to the question of bringing those States whose political relations are at present conducted by the provincial governments into direct relations with my Government and in the case of other States simplifying their relations through a single intermediary. I have made a careful examination of the position, and have come to the conclusion that while the future constitutional developments in the Government of India and in the provinces may lead to the necessity for a re-examination of the position of those larger States whose relations with the Government of India are still conducted through Provincial Governments, further changes are not practicable at the present moment.

The question of Your Highnesses' co-operation in measures of humanitarian endeavour, which the Government of India has by virtue of its membership of the League of Nations pledged itself to pursue, has previously found expression in this House notably during the meetings of November 1926 and February 1928. On both these occasions H. H. the Chancellor assured me of your effective assistance. It is therefore gratifying to me to observe that those assurances have during the past year been translated into practice. In connection with the obligations undertaken by the Government of India under the International Convention of 1921 for the suppression of traffic in women and children, a large number of States have expressed readiness to co-operate and to undertake the necessary legislation to make the co-operation effective. I congratulate Your Highnesses on this evidence of a desire to join with those who are working together throughout the world in the cause of social progress and eradication of vice.

There is a matter of some importance engaging the attention of the Government of India which I would like to mention briefly to Your Highnesses. The Imperial Council of Agricultural Research recently appointed a committee for the purpose of formulating co-ordinated measures to deal with the problem of locusts which have been taking a serious toll of crops in certain areas. The Committee has issued an interim report in which they have declared that locusts are now breeding in Northern India, and that unless adequate measures of control are taken within the next six weeks, there is the grave danger of further damage, especially in Western and Northern India. The Committee have suggested that the co-operation of the Indian States within their territories with regard to measures for dealing with this serious menace would be of great value and political officers are being directed to ask those of Your Highnesses concerned to render such assistance as may be possible in fighting the plague. I am confident that the request will not be made in vain, and I need hardly say that your active co-operation in these important measures will be much appreciated by my Government.

Another matter that I would wish to mention relates to the assessment of compensation for land required in British India and Indian States for irrigation, navigation, embankments and drainage works and works connected with or subsidiary to them. The question has been under discussion since 1925, and a summary approved by the Standing Committee of the Chamber of Princes was accepted by Your Highnesses at your session of February 1928. Since then, it has been considered necessary, as a result of consultation with the local Governments, Political officers and Durbars to modify the summary in two respects. In the first place, Clause IV of the summary provided for the appointment, in the first instance, of Political officers as arbiters if both the parties signified in writing their consent to such a course. In cases in which there might be a difference of opinion between the State authorities and the Local Government concerned as to the compensation payable, it was thought however that this might put States in the invidious position of appearing to lack confidence in the arbiters, and it was accordingly proposed to amend Clauses IV and V of the summary, so as to provide for the appointment of a board of arbitration in all such cases. In the second place it was proposed to include a provision in clause VI of the summary to the effect that in cases where rates of royalty for quarrying stone or excavating material are levied in British India, arbitration will be resorted to in the manner provided in clause IV in the event of an agreement as to the rates payable not being reached. These modifications were recently discussed with the Standing Committee of the Chamber of Princes, and have received their concurrence. It now only remains for the Government of India to issue a resolution on the subject and this will in due course be done.

In December last, the Indian Historical Records Commission held a session at Gwalior to which certain other States sent representatives as co-opted members. The interest thus evinced in India's history by the descendants of those who have in the past played an important part in its making, is of the utmost value. There is still much room for historical research and I believe I am right in saying that the archives of many States contain a wealth of documents of historical interests which still remain to be explored. No nation can afford to ignore the story of its past. No people can properly develop without a knowledge of the factors which have gone to make them what they are. The great men of India have been primarily soldiers, law-givers, philosophers and men whose saintly lives have won them a place of honour in the regard of their compatriots. Indigenous literature and the arts which have hitherto reached their highest levels under the stimulus of kingly and princely patronage have, in more recent times, received less attention than formerly under the pressure of those influences which are continually operating in the progress of civilisation. This is now being recognised and the patrons of arts are more numerous than before. There can be few better ways in which the Indian Princes and the leaders of Indian society and opinion can contribute to her

future than by cultivating and assisting the arts of peace which constitute so formative an influence upon national character.

Your Highnesses will recollect having moved a resolution in the Chamber of Princes on the 24th February 1929 recommending that, for the purpose of section 75 of the Indian Penal Code, previous convictions by courts of Indian States should be recognised by the Government of India and vice versa. As the question involved matters of administrative importance which concerned various local Governments and Political officers, I was unable at that stage to say more than that the matter would be considered with every desire to meet the wishes expressed by Your Highnesses in the resolution. I regret that the result of an examination of the proposal is that the more important Governments are opposed to it, while others do not view it wholly with favour. The courts have already a wide discretion in the infliction of sentences. It seems therefore that no useful purpose will be served by any further pursuit of the question, and I accordingly anticipate that Your Highnesses may be willing to let the proposal stand in abeyance as is customary at our meetings.

#### Maharaja of Kapurthala's Work at Geneva

Among the subjects to be considered by Your Highnesses is that dealing with the work of His Highness the Maharaja of Kapurthala as a representative of India at the meeting of the League of Nations last year at Geneva. The report which His Highness will read to us will be no less interesting than have been those presented by His Highness himself on two previous occasions and by the other members of your Order who have there represented India. We owe a debt of gratitude to His Highness for having undertaken for the third time this weighty task, and I can assure him that we shall all follow with interest what he will have to tell us.

Two resolutions upon the agenda, one tabled by His Highness the Nawab of Malerkotla are concerned with the election of the Chancellor and Pro Chancellor, and with the amendment of Rule 8 of the rules of business concerning the proposal of subjects for inclusion in the agenda. As I have mentioned before in this House, I deprecate alterations in the constitutions and rules of business except when necessity has been clearly shown. But, I think, both these proposals are deserving of Your Highnesses' careful consideration.

The resolution regarding dealings between Indian States and capitalists and financial agents has already been before the Legislative Assembly and received in a slightly different form Your Highnesses' approval. As a result of further consideration, it is now formally to be placed before you and I may have further remarks to make upon this subject when that stage is reached.

Before the session ends, Your Highnesses will proceed to elect the Chancellor and the Standing Committee for the ensuing year, and I desire to acknowledge, as also I am sure will Your Highnesses, the hard work performed by H. H. the Chancellor and by the members of the present Standing Committee during the period of their activities. We have been occupied with many difficult and important questions. The counsel which I have received from those whom you have chosen to represent you, has been of the greatest assistance to me, and I know that I have only to ask for the help of your chosen representatives in order to obtain it in full measure.

I must now bring my remarks introducing this session to a close. I would do so by again giving expression to my continued sympathy and interest in Your Highnesses' deliberations and to my assured confidence that the result of them will be to that greater entity of India in which they occupy such an important place.

## Proceedings & Resolutions.

### 1. King's Recovery.

The Maharaja of PATIALA, Chancellor, moved the first resolution requesting the Viceroy (the President of the Chamber) to be so kind as to convey to the King an expression of their deep and unflinching devotion to the Throne, together with their profound happiness and relief at the complete restoration to health of His Majesty.

The Maharaja of Patiala said, last year, they recorded their happiness at the progress His Majesty made towards recovery. To-day they were happier in so far as His Majesty had completely recovered. It needed no formal expression that the attachment and devotion of the Indian Princes

to the King-Emperor was not a matter of mere convention. It was a spontaneous and living faith with them. They always regarded and would continue to regard the King-Emperor as the custodian of their treaty obligations with Great Britain and the pivot of their common Empire. Moreover, King George had by his personal solicitude for them, won their deep affection. He would like to add as one who had enjoyed the privilege of His Majesty's personal friendship and of being on his staff, that Indian States and British India had no better friend than the King-Emperor on whose recovery they were to-day recording their genuine gratification.

The Maharaja of BIKANER, seconding the Maharaja of Patiala's resolution expressing the deep and unfailing devotion of the Chamber to the King, said that when the heart was full, it was difficult to give expression to one's sentiments.

The Nawab of BHOPAL said that it must be the first act of the Chamber this session to offer their grateful thanks for the recovery of the King. Never before was the illness of any monarch followed with such anxiety and whose recovery had evoked such a wonderful demonstration of love and loyalty.

The Maharajas of PANNA and DEWAS, the Chief of SANGLI and the Pant Sachiv of BHOR all testified to their personal devotion to the Crown and the loyalty of Indians. It was difficult to find a parallel in the history of any country of such devotion and loyalty for a King, the reason for which was not far to seek. His Majesty was the embodiment of all that was best and noblest in the traditional relations of England and India and was the binding force which kept all nationalities in the Empire together. Moreover, he was the custodian of the treaty obligations of the Princes. It was their proud privilege to offer their felicitations to the King-Emperor on his complete recovery.

The VICEROY, putting the resolution to the vote of the Chamber, said he would consider it a high honour to transmit to His Majesty the message of the Princes and their Order. The resolution was carried.

## 2. Delhi Bomb Outrage.

The next resolution, which also was moved by the Chancellor, placed on record the Chamber's emphatic condemnation of the recent insensate and dastardly attempt on the life of Their Excellencies, and tendered heartfelt congratulations on their providential escape.

The Maharaja of PATIALA said that the Princes, in their individual capacities, had signified to His Excellency their abhorrence and detestation of the anarchical attempt upon the Viceregal train and their profound relief at the escape which Providence vouchsafed to the Viceroy and Lady Irwin and the whole party. The Princes of India resented as a personal affront the attempted perpetration of a dastardly outrage of this kind. Quite apart from the esteem and affection in which they held the Viceroy's person, His Excellency was the representative of the King-Emperor for whose Throne they were for all times prepared to lay down their lives, and all that made their lives worth living. The attempt on the Viceroy's life was an outrage against the august personage whom His Excellency represented. If anything could increase their sentiments of horror and detestation or could add to their sense of relief at the Viceroy's escape, it would be the reflection that, in Lord Irwin, India had found a most true and loyal friend. From the

time when the Viceroy entered upon his high office he had thought, planned and worked ceaselessly for the good of India. They therefore rejoiced in a special way to think that Providence had spared him to continue to do the great work he had begun.

The JAM SAHEB felt it a cruel irony of fate that in the last decade assassins had attempted to take the lives of two of India's noblest Viceroys, Lord Hardinge and Lord Irwin, whose high-mindedness and devotion to India was unparalleled. It was always sad to recall the memory of such dastardly outrages. He did not want to recall the various beneficial acts which had been initiated during Lord Irwin's Viceroyalty. He would only associate himself with those who rejoiced at the providential escape of the Viceregal party.

The Maharaja of BIKANER deemed it his duty to join whole-heartedly with the motion and offered his thanks to the Almighty for the miraculous escape of the Viceroy and Lady Irwin. He deplored the abominable outrage done under misguided notions of patriotism. To do such a thing to a most sympathetic Viceroy was a thing that none could condone.

The Nawab of BHOPAL had no words to give expression to the depth of feelings of horror and resentment at the outrage on the life of the noblest Viceroy. He deplored the fact that any son of India should have made an attempt on the life of Lord Irwin who really was India's greatest Viceroy.

The Ruler of DEWAS (Senior) said that Princes were the traditional leaders of those with whom loyalty was a hereditary virtue. To make an attempt on the life of one who was trying to remove the present difficulties and disabilities of the people, deserved the strongest condemnation.

The Raja of MANDI said that it was an insensate folly to make an attempt on the life of a Viceroy who was a great friend of India.

The Pant Saohiv of BHOR considered it a most heinous crime to attempt to take the life of one who was a true friend of India. Such action was sure to retard all progress. The Viceroy's recent announcement had endeared him to everyone.

The Ruler of MALERKOTLA said that, in view of what His Excellency had done for India, no one could give adequate expression of the indignation and horror at the dastardly outrage.

The Chief of JAMKHANDI said that the Viceroy and Lady Irwin had endeared themselves to all and none but an enemy of India could have conceived such a crime.

The Rana of DHOLPUR said that every Indian came to look upon Lord Irwin as a true friend of the country and they all rejoiced at his escape.

The Chief of SANGLI said that the Viceroy had won the love, admiration and gratitude of the people of India for his solicitude for their welfare. It was beyond conception how any human being could think of committing such a crime.

The VICEROY, on behalf of Lady Irwin and himself and those who travelled with him, thanked the Princes for their kind feelings during the four years that he had been in India. He said, he had greater reason to be grateful than he could recount to them.

The resolution was put to the House and carried.

### 3. Condolence Resolution.

The Condolence resolution at the death of the Rulers of Bharatpur, Jhalawar, Lunawada and Rajkot was carried, all the Princes standing.

### Chancellor Presents Last Year's Report.

The Chancellor then gave an exhaustive review of the work performed by the Chamber of Princes during the past year. The Maharaja of Patiala said that a noteworthy event was the publication of the Indian States' Committee Report which the Princes regarded as a mixture of good and evil. Grateful as they were to the Viceroy for the sympathetic statesmanship which granted their request for an enquiry into the relations existing between the States and the Paramount Power and between the States and British India, they could not refrain from remarking that the work of the Indian States Committee was neither as comprehensive nor as clearcut as the importance of the task required.

The Maharaja of Patiala took the opportunity of laying on the table copies of the resolutions unanimously adopted by the Chiefs at the Bombay Conference when they waited on a deputation on the Viceroy in June last year. The circumstances connected with the appointment of the Butler Committee led them to set a special organisation in order to cope with the work and it was resolved to continue the special organisation for the present. He was glad to say that the interests of the Indian States were very well looked after in England, where their reputation stood firm. In this connection, he expressed gratitude to the Jam Sahib and the Maharaja of Alwar and also expressed appreciation of the work done by Col. Harker and Professor Rushbrook Williams. His Highness also referred to the establishment of a permanent secretariat for the Chancellor with a separate staff and a separate organisation for the control of which they had been fortunate in securing the services of Sardar Mir Maqbul Mahmood. Finally, they had established a Standing Committee of Ministers, an innovation which would add much to the efficient and expeditious disposal of important business. This was how they equipped themselves for the work which they had immediately before them. Thanks to the Viceroy's sympathy towards the States they had been placed in a position in which they should find full scope for their efforts.

Indian States, as well as British India, owed a deep debt of gratitude to the Viceroy for the devoted labours crowned with conspicuous success which characterised his ambassadorial mission to England on behalf of Greater India. With the recognition by the Prime Minister and Sir John of the right of the States to appear as a third party in the Round Table Conference, they had attained a position of responsibility in affairs not merely of India, but also of the Empire. The Maharaja of Patiala did not conceal his conviction that the work before them was both arduous and difficult. But, he had every confidence, with the Viceroy's advice, the statesmanship of Indian Princes would prove equal to their task. Dealing with the important work of the Standing Committee at their meetings in March and October, the Maharaja of Patiala said that various questions were discussed affecting Indian States. These principally related to (1) radio-broadcasting in British India and its application to Indian States; (2) restrictions imposed on the possession, purchase and importation of arms and ammunition for the personal use of the Rulers of the States; (3) representations of States on the Railway Board, the Rates Advisory Board, and the Tariff Board; (4) construction of dams in the Indian States; (5) revision of rules for the administration of the Indian Peoples' Famine Fund; (6) provision of a school at Satara for the junior officers of the Indian States' Forces; (7) air navigation in Indian States; (8) dealings between Indian States and capitalists and financial agents; (9) powers to be given to the Councils of Administrations of Indian States to offer troops to the Government in emergency in the absence of the Ruler from States; (10) grant to the Ruling Princes and Chiefs of the privileges of exercising censorship over telegrams.

After the Chancellor's statement reviewing the past year's work, a resolution thanking the Maharaja of Patiala for the work he had done for the Chamber which was moved by the Maharaja of Bikaner and supported by the Ruler of Dewas was carried.

The Maharaja of Patiala thanked the Princes for their kind appreciation of his work. At the suggestion of the Viceroy, it was agreed that the annual elections of the Chamber be held on the 27th February, instead of on March 1st. The Conference then adjourned.

### Kapurthala on His Geneva Mission.

The Chamber of Princes resumed its sitting this morning, the Viceroy presiding. The first item on the agenda was the statement made by the Maharaja of KAPURTHALA regarding his work as a representative of India at the meeting of the League of Nations in 1929.

The Maharaja of Kapurthala describing the work of the delegation regarded the last session of the League as memorable in many ways. It was the first session when the Indian delegation was led by an Indian and His Highness hoped that when in good time the honour of leading the delegation would fall upon one of their Order, they could confidently rely upon receiving the support of the British Indian delegation.

The Maharaja of Kapurthala paid a tribute to the good judgment and statesmanship of Sir M. Habibullah and opined that the presence of a member of their Order served to strengthen the prestige of the Indian delegation.

Proceeding, His Highness said that Sir M. Habibullah and his colleague Sir G. Corbett represented two departments of the Government of India which were closely connected with the work of the League, which he regarded as a most useful innovation. He regretted the lack of League experience, and urged for continuity of the personnel of the delegation to the Assembly.

Describing the League as a sort of informal Imperial Conference which in no small part maintained the solidarity of the British Empire, the Maharaja of Kapurthala felt that the last session of the Assembly would be remembered for its great activity and for the definite progress which was made in international relations. The British Prime Minister, by his opening speech, showed that Great Britain intended to base her foreign policy, as a whole, upon the principle of the League. The Maharaja of Kapurthala said that the League's work for social and humanitarian progress was one which most directly interested India. The League had done and was doing much excellent work in that field both in regard to collecting, comparing and distributing the laws and methods of different countries, so that each might have the benefit of the experience of the others, and also in promoting agreements and co-operation in matters of international concern. He had occasion previously to express a warning against the tendency to look upon Eastern social conditions with Western preconceptions and he thought that that warning had borne fruit. For instance, a special enquiry had recently been conducted into international traffic in women and children and the enquiry dealt with the conditions in America, Europe and the Far East. A desire had been expressed and had received general support that the enquiry be extended to other countries and in particular to those in the East. But it was recognised that the methods and personnel of the enquiry would have to be altered to suit different conditions of the new field. The Maharaja of Kapurthala said that he welcomed the enquiry on the understanding that those alterations were satisfactorily carried out.

Proceeding, the Maharaja of Kapurthala said that great interest was taken abroad in the social conditions of India, but at the same time, there was a great deal of misunderstanding about this country. He thought that it would be doing a useful service, if they took the opportunity of eradicating some of the misunderstandings and of supplying authoritative evidence of the very significant changes which were beginning to take place in India.

He did not fail to give some account of the movement of reform which was also to be observed in Indian States. The Maharaja declared: "I said that at any rate in the more wealthy and progressive States, the advancement of ideas was no less marked than in British India and that indeed some of the States were ahead of British India in certain important respects."

The Maharaja of Kapurthala thought that a notable advance had been made last year in the campaign for dealing with dangerous drugs. It was generally recognised that the manufacture of some of those drugs was enormously in excess of medical and scientific requirements. He was glad to say that those States which had so far showed lack of inclination to adopt measures for the regulation of the trade had, this year, agreed to confer together with the object of limiting the manufacture to medical and scientific requirements. His Highness felt that the meeting of the League provided an excellent opportunity of social intercourse. The prestige and precedence of their Order had very well been recognised at Geneva.

The Maharaja of Kapurthala also referred to the disarmament problem, a promising feature of which was the state of negotiations between Great Britain and United States on naval questions. The League was agreed that an understanding between Naval Powers would do much to facilitate progress towards general disarmament. Concluding, His Highness expressed the opinion that the application of the idea of a United States of Europe presented many practical difficulties, particularly in relation to the British Empire, not only because so much of the Empire was geographically outside Europe, but because so many of the economic problems of the Empire were fundamentally different from those of Europe.

The Maharaja of PATIALA, thanking the Maharaja of Kapurthala for his statement, said that as a member of the Indian Delegation to the League of Nations last year, His Highness had done much valuable work. This was the third time the Maharaja of Kapurthala had been a member of the Delegation. The opportunity which Geneva offered for the representatives of the Governments of the world to meet and exchange ideas and to cultivate personal friendships was by no means a mean achievement in the interests of world peace, and the Maharaja of Kapurthala was imminently equipped to play the role of their ambassador. The Indian Princes had always believed in the possibilities of the League. It had not brought in the millennium by pressing an electric button. Progress was slow, but there were limitations which damped the enthusiasm of idealists. The League had done much constructive work, and its future was full of promise. This session had secured the adherence of the British Empire to the optional clause, a further advance towards disarmament, the elimination of China's suspicion and the bringing about of a better understanding between the East and the West by constructive statesmanship with ties of cultural and economic co-ordination. They welcomed the proposed control of traffic in dangerous drugs. His Highness, in conclusion, hoped that whoever led the Indian Delegation in future, would uphold the best tradition of India and the Indian States.

#### 4. Leadership of Delegation.

A resolution was moved by His Highness the Maharaja of Kapurthala stating that an Indian Prince should lead the Indian Delegation to the League of Nations at least once in a cycle of three years.



His Highness the Maharaja of KAPURTHALA said that last year the nomination of an Indian as the leader of the Delegation to Geneva marked a new and a very great departure. It was a great pleasure to him to co-operate with and assist Sir Mahomed Habibullah, his leader, at the last delegation. The resolution proposed that the leadership should be given to an Indian Prince as frequently as possible, and at least once in three years. He added. "This public recognition of the importance of our Order in the policy of the Indian Empire is a tribute to the success achieved by its representatives. We cannot have a stronger friend than His Excellency the Viceroy, and I am sure the request embodied in the resolution will receive his favourable consideration."

His Highness the Maharaja of ALWAR said that in the existing circumstances one delegate was appointed from England, one selected from British India, and one from the Indian States. So long as this arrangement stood, and the turn was to come normally they would have a chance once in three years. He said the Princes cordially agreed to being led by British India, and sincerely hoped that when their turn came to lead the delegation, that position would be equally cordially accepted by British Indians.

His Excellency the VICEROY said.—"I have listened with much interest to what Your Highnesses have said on this important topic, and I am glad to have the opportunity of receiving the benefit of your views. Your Highnesses will recall the fact that the question of leadership of the Indian delegation was first raised in the Council of State in 1926 when the late Mr. S. R. Das made a statement on the subject. In March 1928, when a resolution was moved in that House recommending that the delegation be predominantly Indian in composition and be led by an Indian, the Government's reply on that occasion intimated that, while showing sympathy with the resolution, the Government must be free to select those whom they at any time considered the most suitable for a particular work and that they could not therefore bind themselves by any promise that the leader should invariably be an Indian. At the same time, they pleaded that it would be their earnest endeavour to secure the services of an Indian who might worthily discharge the responsibility of the leadership, and they went on to make it clear that in subsequent years, the Government would retain and exercise their full discretion in entrusting the leadership, as it seemed to them, either to a leader from British India or England or to a Ruling Prince, though the last named alternative would raise some questions that would require careful consideration. I am not able to say more on that to-day. I shall communicate Your Highnesses' views to the Secretary of State and shall give them myself the fullest consideration. I am sure Your Highnesses will understand that whatever it might be possible to do in the way of inviting one of Your Highnesses' Order to lead the delegation, it would be made difficult certainly, in advance of the constitutional issues now under discussion being finally decided by the British Government, to consent to any mathematical formula of continuity which obviously raises a larger constitutional principle for which perhaps the time is not quite ripe. The observations that have fallen from Your Highnesses represent, I know, the general feeling of your Order, and will receive sympathetic consideration from myself and the Secretary of State."

The resolution was unanimously carried.

### 5. Election of Pro-Chancellor.

In asking the Chamber to accept an amendment to the rules relating to the appointment of a member to act as Pro-Chancellor who secured the highest votes at the Standing Committee meeting, the Maharaja of PATIALA said that the amendment might not be of immediate political consequence, but it was intended to remove an anomaly. Under the present rule, in the event of a casual vacancy in the office of Chancellor, the member who secured the highest number of votes at the previous election of Chancellor officiated. This was open to some objections. These were that should the Chancellor, elected unanimously, proceed out of India, difficulties would arise as to who was to act for the latter. The second objection was that, at the time of election of the Chancellor, the Chamber concentrated primarily on the election of the Chancellor but it was apt to forget that the Prince who secured the highest number of votes next to the Chancellor might have to officiate. Moreover the Prince who would obviously be best suited to act as Pro-Chancellor might not like to contest the election with the proposed Chancellor. This would deprive the Chamber of his direction and help. In the event of both the Chancellor and the Pro-Chancellor proceeding out of India or of being unavoidably absent under the existing regulations, the absence of the Chancellor and Pro-Chancellor would make such a Prince ex-officio member of the Standing Committee and would place on him the onerous responsibility of directing the work of the Standing Committee. The proposed amendment was to eliminate these objections.

The resolution was duly seconded by the Raja of Sitamau and carried.

### 6. Tabling of Resolutions.

The Maharaja of Patiala next moved a resolution amending the rules for the conduct of business thereby making it permissible for the Princes to give written notice of their intention to propose any subject for inclusion in the agenda more than two months before the session of the Chamber

The Maharaja of PATIALA said that by tying down last year the probable dates of the session of the Chamber to the second or third Monday in February, and those of the Standing Committee to the third Mondays of March and November, they had fixed a period of three months between the Chamber and the Standing Committee meetings. But, according to the present rules, the members must give written notice of their proposals to the Chancellor two months before the fixed date. The resolution therefore made it clear that the notice required need not be two months but might be longer and would also evolve a convention for resolutions being received after the Standing Committee meetings to be dealt with through correspondence. The Chamber adopted the resolution.

### 7. Broadcasting in States.

In asking the Chamber to consider the recommendation of the Standing Committee regarding Radio Broadcasting in British India and its application to Indian States, the Maharaja of PATIALA said that the draft resolution regarding the question was first approved by the Chamber in 1926. Since then the broadcasting licence fee of Rs. 12, and the broadcasting company's share of Rs. 10 had been reduced in British India to Rs. 10 and 8 respectively. The Standing Committee recommended that similar reduction be made in the Indian States. Experience showed that the proposal to apportion the shares of the broadcast receiver licence fee could not be maintained on the basis arranged in 1926, that each State should retain the broadcast

receiver fees it collected, and should have no claim to share similar licence fees levied by any other State or in British India and that similarly British India should have no claim to the broadcast receiver licence fees collected by Indian States. It was found impossible in practice to determine the extent to which receivers might be served by one particular broadcasting station. Consequently, the only practical solution was that broadcast receiver licence fee collected in British India should be retained by the Government of India and the fees collected in Indian States should accrue to the States concerned. These arrangements were based on reciprocity. The Standing Committee had also secured assurances that instructions would be issued to the authorities concerned that the term "seditious" in respect of censorship might be understood as including matters offending against States in India.

The Maharaja formally commended the following resolution for the appointment of licence fees for the acceptance of the Chamber —

"Each State and British India should collect broadcasting receiver licence fee for the stations within its own territory, and would have no claim to a share of similar licence fee for stations outside its own territory, but the collecting authority would, of course, be free to pay any share of the fees collected to any broadcasting agency, whether inside or outside its territory, which does, in fact, provide a broadcasting service to stations within that territory"

### 8 Inter-Statal Loans.

The last resolution, which was also moved by the Maharaja of PATIALA, related to capitalists and financial agents. The original draft stipulated that the previous consent of the Government of India was essential to all inter-Statal loans by one Ruler to another without which the loan was to be at the lender's risk and without which the Government of India would not ordinarily intervene to secure its repayment. The Maharaja of Patiala explained that objection was raised to the draft and the Standing Committee made some alterations by which loans from one Ruler to another were distinguished from loans from one State to another, the latter requiring the consent of the Government, but not the former. The final form of the resolution made it clear that the information required of loans proposed by States was necessary not to avoid the possibility of such loans clashing with similar operations by the Government of India, but merely in order to give the Government of India an opportunity of offering friendly advice on the subject, if necessary, as they were supposed to know more of the money market than the State concerned. It was, however, understood that the resolution would not apply to the case of short term loans for temporary purposes only from banks recognised for the purpose by the Government of India. Further the term "alien" would include British Indian subjects, as also subjects of other Indian States.

The Chamber accepted the resolution, and was adjourned till next day.

### THIRD DAY—27th FEBRUARY 1930.

At the Princes' Chamber on this day the Maharaja of Patiala made a welcome announcement that the Nizam of Hyderabad had telegraphed him announcing Rs. 100,000 for the Chamber's funds towards the preparation of cases relating to economic and fiscal relations between British India and Indian States; one lakh towards the Chamber's deputation attending London and an annual contribution for five years beginning from 1930 of Rs. 50,000 towards the general budget. The Maharaja of Patiala expressed gratefulness

to their senior brother for this generous help which showed that the Nizam was in sympathy with the Chamber's efforts to secure recognition of the rights and the interests of the States. (Applause.) It is also learnt that the Gaekwar of Baroda has withdrawn his resignation from the Chamber.

#### Elections.

The Chamber proceeded to elections and re-elected the Maharaja of Patiala as Chancellor for the fifth year by 25 votes against the Maharaja of Kashmere 14, and the Maharaja of Alwar, 2 votes.

Thereafter the Maharaja of Kashmere was re-elected Pro Chancellor by an overwhelming majority. The Chamber then elected the following to the Standing Committee for the coming year: The Nawab of Bhopal, the Jam Sahib of Nawanganar, the Maharajas of Alwar and Bikaner and the Maharaj Rana of Dholpur.

#### 9. Welcome to Viceroy's Announcement

After election the Maharaja of PATIALA moved the first resolution cordially welcoming the Announcement made by the Viceroy on the 1st November 1929 expressing the hope that it might allay the feelings of distrust and discontent throughout India. The Chamber noted with satisfaction the proposal to call a Round Table Conference in London of all interests concerned and welcomed the opportunity afforded to the Indian States to participate in it. The Chamber also desired that in view of the opinions expressed during the present session the Viceroy may be pleased to recommend that necessary opportunities be provided for consultation between His Majesty's Government and representatives nominated by the Princes in regard to such practical proposals directly or indirectly affecting the Indian States as may emerge from the Round Table Conference or from the recommendations of the Indian States Committee's report.

The Maharaja of PATIALA in the course of a speech said that the Princes had already expressed their individual opinions welcoming the proposals contained in the historic Announcement which would take its place as a document of the highest importance. It was a proof of Britain's good-will towards India and of her desire to arrive at a satisfactory and amicable settlement of India's problems. He had no doubt that this policy of conciliation would help to allay distrust and discontent in British India. The Indian States were profoundly affected by the proposal of the Round Table Conference. The Princes were glad that both the Viceroy and His Majesty's Government recognised the vital importance of the States being represented. They would fully cooperate to bring the deliberations to a successful conclusion. They only wanted an opportunity for discussion between them and His Majesty's Government in regard to proposals affecting the States which might emerge from the Conference. The necessity for this was obvious. The Conference would deal with questions affecting the Indian Empire and deal with the whole field of political supremacy exercised either as direct sovereignty or as paramountcy by Great Britain in India. With the alteration of the structure of the Government of India the political relationship in which the Princes stood might also be insensibly but gravely affected. It might be that such changes as proposed by the Conference might be acceptable to them. It also might be that against some of the proposals the Princes might have valid objections to urge. Both policy and equity required that opportunity should be given to them to place their views before His Majesty's Government. The presence of the delegates from British India at subsequent deliberations of the joint parliamentary committee had been promised to British India and they also asked for the same consideration. The relationship of the Indian States to the Crown

was essentially one that could not be changed without the consent of both the parties. The position of the States which was guaranteed in any respect without their being given an opportunity at every State to express their views. They still remembered the consequences that followed the declaration of 1917 leading to the Government of India Act of 1919.

The Maharaja of BIKANER wholeheartedly supporting the motion said that the Announcement was momentous, timely, statesmanlike and most welcome. He had already given expression to his opinion on the Announcement to the press. He did not think himself justified to take up the time of the Chamber.

The Nawab of MALERKOTLA supporting said the Conference afforded an excellent opportunity to the representatives of British India and the Indian States to meet His Majesty's Government to discuss the problems affecting both.

The Maharaja of DEWAS (senior) said the policy inunciated in the declaration was momentous and embodies wise statesmanship. The Princes were grateful for the recognition of the States to be present at the Conference.

The Chief of SANGLI said the Viceroy would be always remembered as initiating something which would reach the greatest common measure of agreement on the Indian problems. The Viceroy was entitled to a distinct place amongst the statesmen who had contributed to the building up of the Empire.

The Pant Sachiv of BIOR said the country was grateful to Lord Irwin for giving an interpretation to the declaration of 1917 which had driven away the clouds of suspicion. Another importance of the Conference was that it had created a suitable machinery as was demanded by British India and also given the States an opportunity for joint deliberation for formulating practical schemes. He reiterated that the States could not agree to accept any proposal which violated their treaty obligations and sympathised with those British India leaders who were working for the good of the Motherland by constitutional methods. He strongly deprecated the resolution passed at the Lahore Congress and which threatened civil disobedience.

The VICEROY putting the motion before the House said : ' It is naturally gratifying to me to find that this Chamber is prepared to set the seal of its approval upon the Announcement on behalf of His Majesty's Government which it was my duty recently to make. I have no doubt that Your Highnesses share the view that has always been mine own that the logic of events is gradually bringing us all very close to a consideration of very large problems and that in regard to some of these problems at least it is possible that differences in point of view may reveal themselves— not,—I hope, fundamental differences but differences perhaps of method of approach and so on.

" My own view has always been that as and when we reach that stage there was no need to feel unduly disturbed about the prospects of a successful issue provided that all those concerned were willing with a reasonable spirit to sit down and discuss the real difficulties with a view to reaching a solution with regard to all interests which have to be met and it was from that point of view that I for a long time have thought that the right solution of some of the difficulties with which you and I are immediately confronted was by this way of the conference. It is also quite clear to any one who has

given the briefest or the most superficial study to the all India side and character of those present problems that no one of them can satisfactorily be solved unless it is solved in harmony and in conjunction with those by which States are more particularly affected. It is not necessary for me to develop that to Your Highnesses but it is well that the public should appreciate that there are very few problems today with which British India is interested than can be treated as it were in a vacuum without having reactions and impacts upon the problems of the States and it is for that reason—the widest possible reason—that I am sure that the policy of associating Your Highnesses at the outset in these deliberations is not only wise but necessary.

“Your Highnesses have voiced the opinion of your Order which has been generally supported that the views of the States’ representatives at the forthcoming conferences should be accorded equal consideration with the views of those who represent British India. I need hardly give you on behalf of His Majesty’s Government an assurance that it will be so. (Hear, hear.) I have already on another occasion defined on behalf of His Majesty’s Government what I anticipate will be the general purpose of the conference and I have no doubt that the opinions of the representatives of the States will there receive consideration that they deserve and that will be commensurate with the importance of the place that the States hold and will hold in the general fabric of the body politic in India.

“With regard to the last, the third part of the resolution moved by His Highness the Chancellor, I would remind Your Highnesses that in the original communications from Sir John Simon to the Prime Minister—though I have not got it now before me, the terms are in my recollection—I think he suggested and it was accepted by the Prime Minister that the conference should include representatives from the States to meet His Majesty’s Government separately or together as necessities might suggest and therefore I anticipate that His Majesty’s Government in accepting that proposal must no doubt have had present in their mind the possible desirability of from time to time separate consultation of the kind adumbrated in the third paragraph of your resolution. So far as I am concerned it is not possible for me to add anything to that statement but I shall transmit to His Majesty’s Government the expression of the view, if it finds acceptance this morning, and place them in possession of the reasons that have led Your Highnesses to favour it.” (Applause.)

The resolution moved by the Maharaja of Patiala was then passed unanimously.

### 10. Butler Committee’s Report.

The statement of the Butler Committee that the Crown was from the beginning of the 19th century the ‘de facto’ and unquestionable paramount power in India exercising sovereign rights over the Indian States in alliance with the British Government seems to be historically inaccurate.

In these words the Maharaja of PATIALA initiated discussion on the Butler Committee report. His Highness said that during the whole period of the Company’s Government in India successive Governors-General in India most emphatically repudiated any such claim and as late as the early days of the 19th century there were many States which were acknowledged to be completely independent of the British Government. It is therefore surprising that the Indian States Committee should have based their opinion on instances

of intervention which clearly disregarded the treaty obligations and which were definitely admitted by successive Governors-General up to the time of the Mutiny to have been in compatible with such obligations.

Referring to the committee's claim that as a result of the paramountcy which of necessity led the British Government to take decisions and exercise authority beyond the terms of a treaty the Government of India had a right to interfere in the internal affairs of the States even when the provisions in a treaty precluded them from doing so, the Maharaja of Patiala said the committee did not fully realise the effect or implications of quoting the Government of India's own view in support of the contention which the Princes always had contested. 'If in the opinion of the committee the position of the Indian States which was guaranteed by solemn treaties and engagements can be altered by occasional pronouncements of the Government of India it seems to me the committee have gone further than even the most ardent champion of the Political Department'.

The Maharaja of Patiala next referred to a statement by the Committee that intervention could not form the subject of any rules or procedure and the decision to intervene must be left to the Viceroy specially when there is a widespread and popular demand for a change in the form of Government, that is, a demand for complete responsible Government not due to misgovernment of the Ruler. The paramount power had a right to suggest such measures as would satisfy that demand without eliminating the Princes. The Maharaja of Patiala felt that that extraordinary dictum ran so contrary to the inalienable right of the Princes that unless every member of the Order repudiated it, it might undermine and destroy the whole fabric of the policy of their States. On the other hand, the obligations of the British Government to maintain unimpaired the privileges, rights and dignities of the Princes involved a duty to protect the Princes against a popular agitation if such agitation was not due to misgovernment. His Highness asked how this obligation could give the Government of India power to advise the Princes to change their hereditary and traditional form of Government simply because some of their subjects agitated for responsible Government and the volume and the intensity of the demand was to be judged not by the Princes themselves but by the Viceroy.

The Chancellor also held that the conclusions which the committee had reached in regard to the relations which existed between the paramount power and the States were (not?) on intelligible bases. After conceding to the Princes that the claims of individual States would be considered in the light of treaty, history, local circumstances and tradition, it was most difficult to reconcile the statement of the committee that the relationship with the States did not merely rest upon treaties and engagements but was shaped by Imperial necessity and the shifting circumstances of time. Discussing the questions of usage the Maharaja of Patiala drew a distinction between the effect of usage on a particular State in which a practice had been developed and uniformly acquiesced in and the application of a practice which had developed in one State to all States generally. He felt that the mere fact that a particular usage had been current in one State did not make it applicable to all other States. In this connection by the committee of the Privy Council decision that the relationship which existed between the Government of India and the States depended among other things on the decisions of the Secretary of State and the Government of India was not capable of the interpretation put upon it.

Proceeding the Maharaja of Patiala said : ' The committee have declared with emphasis that it was not in accordance with historical facts that paramountcy gives the Crown definite rights and imposes upon it duties in respect of certain matters only. They consider that the Crown through its agents should have the right of interference for the good government of India as a whole as also for the good government of individual States. If such a view of paramountcy was accepted the Crown and its agents could claim any rights they chose to assert and the States would have no right save those which the Crown agents thought fit to leave to them'.

The Maharaja of Patiala next referred to the machinery suggested by the Committee to deal in future with measures or policies affecting the rights of the States and held that the committee did not even touch the fundamental issues raised by the Princes. The contention of the Princes was that in the past the procedure adopted by the Political department tended more and more to encroach upon the rights of the States. The committee recommended that questions affecting the States should be dealt with by the Viceroy assisted by the political secretary and where the Political department of the Government of India disagreed the Viceroy might appoint an Advisory Council composed of the representatives of British India and the States and in case such joint committees disagreed more formal committees be appointed. The Maharaja of Patiala held that the recommendations ignored altogether the differences that arose between the States and the Political department which at present were subject to executive decisions. The demand of the States that such cases be subject to a judicial decision had been entirely ignored. The Maharaja of Patiala urged that the findings of the committee unless they were agreed to by the Chamber should not be considered as authoritative pronouncements or interpreted as political practices binding against the States.

Referring to the second part of the terms of reference of the Butler Committee the Maharaja of Patiala opined that the recommendation were also based on a confusion of thought. The committee had laid down that as a matter of principle the paramount power was not justified in interposing its authority to secure economic result which were beneficial only or mainly to British India in cases where the economic interests of British India clashed with those of Indian States. But the recognition of the claim was vitiated by the statement of the committee that the Government of India were justified in interposing their authority and over-riding the interests of the States for the economic good of India as a whole.

Lastly the Maharaja of Patiala felt difficulty in appreciating why the committee should have volunteered opinions on various financial questions after accepting the claim of the Indian States that the Government should appoint an expert to investigate into the claims of the States for a share in the customs revenue and the adequacy of their contributions to Imperial burdens. In conclusion, the Maharaja of Patiala formally moved a resolution which recorded once again appreciation of the Princes of the active sympathy evinced by the Viceroy in supporting the request of the Princes for the appointment of a committee to enquire into their position.

His Highness the Maharaja of KASHMIR, speaking on the Butler Committee's report, said that he would be lacking in candor if he said that its findings had satisfied the hopes which they had cherished. They had imagined a committee different alike in its composition and functions from



that which ultimately materialised. It was expected that round a nucleus of English statesmen of reputation there would be grouped representatives of the Government of Indian States together with financial, constitutional and political experts. Such a body would have been well qualified to conduct an impartial enquiry into the disputed matters. Two feelings were uppermost in their minds. Firstly, they had become painfully conscious that what was called political practice whittled away their rights which they believed to have been safeguarded by treaties, secondly they found that their position was one of considerable uncertainty, not merely in regard to their future relations with a self-governing British India but also in regard to their present relations with the Government of India. They were anxious to find out precisely where they stood, where their rights began and those of the Paramount Power ended, so that they might take stock of the part they were called upon to play in the Greater India which they saw shaping before their eyes. But the Butler Committee, from the very nature of its personnel and its restricted terms of reference, could not conduct the examination satisfactorily. The Committee, by its own admission, was not a judicial tribunal. This was conclusive evidence that the States could not receive at its hands that kind of award which was their principal reason for asking for an enquiry at all. Even though, by the admission of the committee itself, the treaties and engagements concluded by the British Crown may have been departed from on various occasions within a few years subsequent to their original ratification, the fact remained that Queen Victoria had confirmed these treaties and engagements in 1858 subsequent to the Mutiny. During the period of confusion which followed that lamentable occurrence, the might of Great Britain was perhaps more absolute in India than at any period. The Indian States might have been easily swept away then, but, on the contrary, Queen Victoria confirmed the treaties and engagements, and they were also subsequently confirmed at various intervals. How could it be open, His Highness asked, for the Indian States Committee to base so many of their findings upon the alleged fact that the validity of treaties was in reality dependent upon political practice and even upon the one-sided executive decisions of the Government of India or of the Secretary of State?

His Highness the Nawab of BHOPAL said that the Butler Report was a sad disillusion and must be a disappointment to the Government of India as they did their best to assist the committee in their inquiry. The most vital question, namely, the relationship between the Paramount Power and the States, was treated in a very summary manner. It was dealt with in short 49 paragraphs which were neither a reasoned presentation of the subject nor a full, accurate or logical survey of it. His Highness criticised some of the findings of the committee to show that their relationship was with the Crown, that their treaties were made with the Crown and were of continuing and binding force, that the States should not be transferred without their own agreement to a relationship with any new Government in British India responsible to an Indian legislature. Concluding, His Highness said that they had valid reasons to be dissatisfied with the manner in which their case as a whole had been handed by the committee.

His Highness the Maharaja of BIKANER said that it was a good fortune and highly gratifying that there should be in India a Viceroy like His Excellency Lord Irwin to deal with matters of such vital importance arising

out of the Butler Report. He added, 'It will be a source of satisfaction and encouragement to the States if, in the best interests of India and the Empire and with a view to launching and ensuring the success of a liberal constitutional advance both for British India and the States, His Majesty's Government are successful in securing the consent of Your Excellency to act as our Viceroy for a further period.'

His Highness said that there was no lack of sympathy with the States on the part of Sir Harcourt Butler. If there were unsatisfactory features of the report, these were due to the extremely difficult nature of the problems involved and the fact that there was no parallel for the unique position which the Indian States held. His Highness continued 'I am not prepared to regard the report as the end of things but rather as the beginning of things, from the consideration of which and from the negotiations resulting from which a final settlement on lines equitable and fair to the States might reasonably be expected to ensue.'

Continuing, His Highness referred to the good atmosphere which followed the War and wished that it had been utilized for working out a solution to the mutual advantage of both sides. He regretted to say that that opportunity had been lost. They must have clear cut formulas which should not be subject to the whims of political secretaries or Viceroys or Secretaries of State. His Highness held that extravagant and exaggerated imperialist claims were inconsistent with the pledged words of Great Britain and would not help the present situation. He was sure that the Viceroy would leave to his successors a legacy which would put a stop to the present system of flux and drift. His Highness quoted approvingly Mr. Ramsay MacDonald's recent words about Egypt, which he said, applied with equal force to India, and ended in the words of the Premier: 'I will be optimistic to the end'.

His Excellency the VICEROY said that the discussion that had taken place was most interesting and, he hoped, also useful. Their Highnesses had not shrunk from giving very frank expression to their views on matters on which they disagreed with the findings of the Butler Report.

The words he should emphasise were the words used by His Highness the Maharaja of Bikaner, that this was the beginning and not the end of the discussions and that both Their Highnesses and His Majesty's Government would have ample opportunity to consider and discuss these things together and on which there was sure to emerge a large measure of agreement. As regards the various detailed resolutions on the report, the Viceroy said that he would not be prepared to commit the Government of India or the Secretary of State on a declaration of policy on matters which were still in an early stage of discussion. As regards the general criticism of the report, it was hardly likely that these enquiries would succeed in producing a report that would give universal satisfaction. Such reports were produced rarely in human affairs. The Viceroy had no doubt that, as Sir Harcourt Butler had told him in private talk, the true value of the report was to stimulate discussion like the one which they had enjoyed this afternoon. The Viceroy had no doubt, at least on one point, that one broad result of the investigation and report had been to ensure to their Highnesses an opportunity that their Highnesses had wanted for sometime past, for getting matters of such importance into the arena of practical discussion. If through inadvertance or for other reasons in the past this

could not be brought about, then he saw nothing to regret but everything to welcome the events which had led to such frank discussion among the parties concerned. He could not agree with all that had been said by Their Highnesses, but he welcomed this practical discussion on matters of which all of them recognised the importance.

The resolution was taken unanimously passed and the Viceroy thanked the Chamber for appreciating his work in this connection.

### 11. Giving Effect to Resolutions

On the motion of His Highness the Chief of Sangli, the Chamber adopted a resolution authorising the standing committee to take such general action as may be necessary during the course of the year and specially to undertake negotiations in furtherance of the resolutions adopted at this session and in other sessions.

The Chamber then adjourned till next day.

## FOURTH DAY - 28th. FEBRUARY 1930.

### 12. Relations with Paramount Power.

The Nawab of Bhopal moved a resolution expressing the opinion of the Chamber that the time had arrived to revise its constitution with a view to enlarging its functions and powers.

In moving the resolution on this day His Highness said that in spite of the fact that the functions of the Chamber which was a result of the Montagu Chelmsford Reforms were purely advisory, it has more than justified its existence. The committee of their Ministers dealt with a number of questions which had been a source of friction between the Government of India and the States. The question of Air Navigation and the rules relating to employment of Europeans and others in their services were two of such instances. Lastly the appointment of the States committee could also be regarded as an achievement of the Chamber. By whatever criterion it might be judged, whether by the number and importance of its achievement in the variety of its interests or the help it rendered to the Government of India, success of the Chamber could not be denied. The record of the past nine years justified the proposal that the powers and functions of the Chamber be enlarged. He did not contemplate that the Chamber should in any way interfere with the rights of the paramount power. But he felt that they could legitimately claim for their mutual good to be more freely associated with all questions of policy affecting the States.

The Nawab of Bhopal also believed that if the functions of the Chamber were enlarged those Princes who, so far had kept aloof, would recognise that the time had come to abandon their policy of isolation. Lastly, the Nawab said that the constitution of British India was in the melting pot at the Round Table Conference, which was expected to meet before the next session of the Chamber. It was only wise that their representatives should go to the Conference with a clear idea on the subject. He regarded it as premature to indicate the direction which their advance might take. That was a matter, he felt, which should be left for discussion with which the Political Department should also be associated.

The Jam Sahib of NAWANAGAR, seconding the resolution of the Nawab of Bhopal in regard to Sanads said that the Princes had always felt very strongly on that subject. From the different interpretations put on Sanads, a great deal of hardship and injustice had been caused to several States.

He recognised that the Crown had the power to curtail the powers of the States in certain cases, but Sanads did not confer any new rights. On the other hand it was a restatement of the privileges and rights enjoyed by the States and as such should not be allowed to operate to the detriment of the Princes.

The Maharaja of PATIALA, supporting the resolution, held that the Sanad was a sign of mutual consent, and the grant of it should not be made the occasion to deprive the States of their powers.

The VICEROY, putting the motion to the Chamber, declined to express his personal opinion on matters of fact or of law. He recognised the usefulness of the fact that attention had been drawn to the matter.

The Chamber adopted the resolution.

### 13 Fiscal Claims of the States.

It is undeniable that, in the past, the revenues, derived from the departments of general utility in this country, have been retained by British India, no share being given to the States. That legitimate claim is long overdue and we are naturally anxious that there should be no delay in creating an expert committee upon which the views of British India and of the States should be adequately represented.

In these words the Maharaja of Kashmir moved a resolution, requesting the Viceroy to appoint an independent expert body to explore the fiscal claims of the States after ensuring that the personnel and terms of reference were settled in agreement with the Standing Committee of the Chamber. The Maharaja of Kashmir said that the necessity of making the committee independent and composing it in such a way that its decisions were impartial was obvious. He urged that the terms of reference of such a committee should include all the fiscal and financial questions which they regarded as at issue between them and British India.

The Nawab of Bhopal, seconding the resolution, pointed out the cases of salt, opium and customs as some of the fiscal points at issue between British India and the States.

The Jam Sahib further supported the resolution. Equity and policy required a committee, the scope and personnel of which should be decided in consultation with the Chamber as recommended by the Butler Committee.

The Pant Sachiv of Bhor held that the committee should have been appointed long ago and a readjustment of the fiscal policy of the Government of India was urgently demanded.

The Viceroy appreciated the object of the resolution and recognised the necessity of some work which must be done. He assured them that the task as recommended by the Butler Committee would be initiated in consultation with the Standing Committee. He was not sure whether the Committee would be appointed at once or should wait till the report of the Statutory Commission was published, to take proper guidances from it.

The resolution was adopted.

### 14. Intervention in Internal Affairs.

In the opinion of the Chamber, the time was now opportune for defining, by joint consultation between nominees of the Viceroy and those of the Chamber, the basis of intervention in the internal affairs of State.

In moving the above resolution the Maharaja of Bikanir said that the opinion of the Butler Committee that paramountcy must remain paramount was a counsel of despair. If they could lay down in what cases there should be no intervention, they would achieve something. The present

policy was like setting up two sovereigns in one State, one the Ruler and the other, the Political Agent. He bitterly complained of repeated interference even in domestic affairs and intrigue by State officials was encouraged. The Maharaja of Dikaner said that the fewer the interventions, the greater would be the all-round prosperity in the States and their relations with the Government would be harmonious. He said there were two schools of thought, one holding the view "scrap the treaties" and the other "honour them" in the fair name of England. So also, one school was for intervention, while the other was opposed to it. A popularised form of Government may leave the Prince alone or may like to work in co operation or may even tend to intervene in State affairs. The Maharaja said that these very fears compelled them now to be assured that their interests will be safeguarded and that there will be no intervention.

In supporting the resolution, the Nawab of BHOPAL said that their trouble lay in the evil results of the misapplication of the doctrine of paramountcy. All of them were attacked more or less seriously and frequently with discomfort in the form of intervention, the results of which varied from feelings of uneasiness and occurrences of acute irritation. It was regrettable that the chief exponents of the doctrine had wisely left its extent undefined or to the idiosyncrasies of individual political officers. The Butler Committee, to whom they looked to improve matters, had failed to do so. In their opinion, imperial necessity and new conditions might, at any time, raise unexpected situations and consequently they held that paramountcy must remain paramount. The Committee also added that paramountcy must fulfil its obligations, defining or adapting itself to the shifting necessities of time and the progressive development of the States. The Nawab of Bhopal asked how they could fail to take alarm at this view which overlooked the limits set by ancient and solemn treaties. The future will indeed be dark, if on paramountcy and paramountcy alone could the States rely for their preservation through the generations that were to come. They, instead, stood on the firm ground of their treaties and on the good faith of the British Government. To-day, they wanted confidence with regard to intervention and they would be satisfied.

Proceeding, the Nawab said the Princes recognised that, in some very exceptional cases and on the basis of mutual consent, the intervention of the paramount power in the internal affairs of the States would be justified but only then would any deviation from the implicit rights of Princes be permissible. In all other cases, Princes "are and shall remain absolute rulers of their States and the jurisdiction of the British Government shall not in any manner be introduced." The resolution, if given effect to, would serve a most useful purpose and put an end to the persistent and petty infringements of the rights by individual political officers also. The Nawab of Bhopal believed that the appointment, as proposed in the resolution, of a joint committee to deal with the subject was advantageous both to British India and Indian States. "Should it succeed in laying down a definite policy consistently with our treaty rights and obligations, it would remove all causes of friction and misunderstanding and would give us confidence. In this it would do a great service to the cause of the Indian States as well as to the cause of the Empire."

Seconding the Nawab of Bhopal and urging the revision of the constitution of the Chamber, the Maharaja of PATIALA held that the Chamber had

dealt with a due sense of responsibility and moderation with many very delicate questions. They were grateful to the Chamber for giving them an opportunity of working together. It has done much to break down the isolation between individual rulers which, in his opinion, had done infinite harm not merely to their States but to the Government of India. He concurred with the mover that the time had arrived to revise the constitution of the Chamber and enlarge its powers.

The Maharaja of DEWAS supporting said that the Chamber had done valuable services to the Empire and, in these days of democracy, not the individual but the collective voice had the weight which was likely to be accepted. The Pant Sachiv of Bhor further supported the resolution.

The Maharaja of BIKANER, claiming that he was one of the founders and the first Chancellor and also for five consecutive years, held that the usefulness and potentialities of the Chamber were very large. He hoped that with enlarged functions and powers it would soon be in the position originally intended for it. He pointed out some of the subjects which the Chamber was precluded from discussing. He specially mentioned, in this connection, the case of the Indian State forces which were primarily maintained for the defence of India and the Empire and the internal security of States could not be discussed by the Chamber. Another subject he mentioned was the question of simplification of the political relation between the States and the Political Department and he urged the necessity of direct communication with the Central Government as intermediaries caused delay and misunderstanding. He further urged that there should be a single intermediary between the States and the Viceroy, namely, the Agent to the Governor-General.

After suggesting the provision of a clock and a bell for calling the attention of the members to the time-limit, the Maharaja of ALWAR deprecated canvassing as a thing beneath a Prince, although it was a perfectly legitimate parliamentary procedure. Referring to the main resolution, he regretted that the eastern States of Rajputana had no direct access to the Viceroy while comparatively new States in Madras and the Punjab enjoyed the privilege. Quoting the Montford Report, he urged the claims of big States, specially those of Rajputana, for direct access to the Viceroy. This will enable their relations to be more harmonious.

The VICEROY, speaking on the resolution, said : —

"The two speeches to which we have listened have been delivered with great frankness and been full of interest and I should like if I may, though constrained to make one or two observations in regard to them, to congratulate those who have delivered them upon the ability with which they marshalled their observations. I made a few observations on this question in my opening speech to which I do not desire to add anything material and which I think represent my general feeling on this very difficult question. I intervene for a moment or two now rather for a different purpose. I think that there is perhaps a certain danger if the matter is left before the public at the stage. There may be some danger of the public obtaining an incorrect perspective of the problem which should be as much regretted by Your Highnesses as it would be by myself. H. H. the Nawab of Bhopal, in seconding, said that he was proposing to apply himself mainly to the situation to-day and H. H. the Maharaja of Bikaner, in proposing, told us he would in part apply himself to the position of yesterday and I could not help thinking

that the implication of a part of his speech, moving the resolution, would be that Political Officers and Rulers are perpetually at loggerheads.

H. H. the Maharaja of Bikaner : That was not my intention.

The Viceroy "I need hardly say that I myself am proof against such a misconception. I am only seeking to protect the public who might be left to wonder how any system open to such difficulties could work at all and while both H. H. the Maharaja of Bikaner and I should no doubt agree that there might be occasions on which the Political Officers or, for that matter, the Rulers might say or do things that we, wiser than they, should prefer to have said or done differently yet, I am sure that none of Your Highnesses would contest the statement that the relations of the Rulers with the Political Officers and the relations of the Political Officers with the Rulers have been in the main one of mutual respect and mutual friendship and that each officer and the Ruler with whom he served have probably a long period of friendship to their credit and that brings me to the general observation that I would make.

"I think it is important in considering this matter to keep our eyes fixed upon the realities of the problem. I do not for a moment contest the Nawab Sahib's views that it is of great importance to the Prince to seek as close a definition as possible of the basis of intervention. On the other hand, I would ask him to draw what seems to me a moral, full of significance from the fact, as pointed out in Sir Harcourt Butler's report in paragraph 37 in which actual cases during a period of ten years of intervention are enumerated and as anybody can see who looks at the paragraph in which they are set out in their own fortunately very insignificant and limited proportion. I have yet to learn of a well-administered state which has ever had cause to complain within our own working time of unreasonable intervention by the representative of the paramount power. I speak no doubt from a different angle from that of Your Highnesses in this matter because I speak as one who is responsible for advice given to the Crown on this matter of intervention and I can assure Your Highnesses what you will be very ready to believe that there is no part of the Viceroy's duty to which he devotes more anxious thought or which causes him a greater measure of disquiet and anxiety than the cases on the border line of rights or the desirability of intervention.

"It is commonly said that intervention should be closely defined and should be as far as possible divested of any discretionary element. With that as an academic principle, many might be disposed to agree but I would ask Your Highnesses to bear in mind that the kind of case that we all have in mind or have before us, that of extreme misgovernment or extreme financial embarrassment leading to misgovernment that any of those cases do ultimately involve—and it is as well that it should be recognised—do ultimately involve discretionary action. The Viceroy, when any such cases arise, has to ask himself, "If the degree of financial embarrassment in this state is such that, unless it is checked it will lead to gross misgovernment and will lead to all evils that will follow from that" and, therefore, it is in my judgment impossible to suppose that whatever plan you adopt to regulate the relations of the paramount power to the Indian States, you can ever wholly get rid of that discretionary reserve of judgment that has to be allowed in the person of the King's representative. I do not know that I should have been moved to make these observations had it not been for one observation that fell from His

Highness the Nawab of Bhopal in which he said, discussing this very point, that he thought that, in very exceptional cases and on a basis of mutual consent, intervention might be justified. I do not think there is ever likely to be mutual consent because my whole case is based on the assumption that there would be so grave an instance of maladministration that the maladministrator would be the last person ever likely to consent and therefore, I am afraid that the Nawab in that respect is advancing an ideal which in this imperfect world we can hardly hope to attain. Your Highnesses know sufficient of my mind and you know sufficiently the minds of my predecessors to feel sure that intervention, while it must, as I think, retain that discretionary element for which I have argued, is resorted to only in the rarest possible cases and that it is with the utmost distaste and utmost reluctance and unwillingness that resort is had to it. Therefore, while I proceed to put the motion to the Chamber and while I should be willing to go as far as I possibly can with Your Highnesses in examining general grounds on which, in mutual consultation, the purposes of the resolution might be examined, I did feel bound to make it plain in justice to what I conceive to be my responsibility and in justice to what I also believe to be Your Highnesses' purposes that as far as I can see there will be real difficulties in any attempt to reduce to a narrow legal definition matters that, in some of their aspects for reasons that I have said, must always continue to retain discretionary elements."

After the Viceroy had concluded his speech on the intervention resolution the Nawab of BHOPAL explained that what he said was that, though Political Officers had been their best friends on the whole, not all of them were so and it was these unfortunate exceptions who had done the damage. The resolution was put to the House and carried.

#### 15. The Crown's Obligations.

The Maharaja of Alwar moved the next resolution, placing on record the considered opinion of the Chamber that the true relationship of the States with the Crown was founded upon (1) parties and engagements which bound parties and (2) the usage which was established by mutual consent. The Chamber was of opinion that the obligations of the Crown and States, arising under these two heads, remained unaffected by the doctrine of paramountcy referred to in the Butler Report.

The Maharaja of ALWAR said the question was one of extreme delicacy and difficulty, the discussion on which was initiated by the Butler Report. Quoting extracts, he pointed out the weak points of its arguments and said the position of the States was bound by treaties and engagements. He enumerated the nature of some of the misunderstandings in which intervention might be necessary. Difficulty generally arose in correctly understanding the terms, such as Vassal State, Sovereign State and Feudatory State, about which misconception had already occurred in the past. His case was clearly explained in the resolution. He recognised that paramountcy without power of intervention would be meaningless. It was, therefore, necessary to explain fully all the implications. The position, taken by the Butler Committee, had no parallel in the world. The resolution, if accepted, would go a long way to allay distrust and suspicion. It was not their intention to weaken the hands of the Crown. It was through the Crown that they expected treaties and engagements to be honoured and respected. Paramountcy or no paramountcy, definition or no definition, the Princes of India were pledged friends of the British Crown and would always remain so.

The Rana of DHOLPUR, supporting the motion, said the position defined in the resolution was clear and accurate. They would stand by their



ties and engagements. It was a faith with the Princes that Britain would never repudiate her obligations. Their loyalty was not dictated by the doctrine of paramountcy and their attachment to the Crown was spontaneous. He made a personal appeal to the Viceroy to give them sympathetic and powerful backing. The resolution was put to the House and carried. The Chamber then adjourned till the next day.

#### FIFTH DAY—1st MARCH 1930.

##### 16 Doctrine of Usage.

The Chamber held its final sitting to-day. The Viceroy presided.

The Maharaja of BIKANER moved that it was the opinion of the Chamber that the doctrine of usage and political practice, as expounded by the Indian States Committee, was neither sound in its conception nor fair in its application to the relations subsisting between the Crown and the Indian States; that the doctrine had in the past been the cause of serious and unjustifiable encroachments upon the internal sovereignty and autonomy of Indian States which were recognised in solemn treaties, engagements and sanads; and that the course of practice followed with respect to individual States by the Political Department of the Government of India in certain eventualities, which had neither been consistent nor uniform or to which, from time to time, exception had been taken by the States concerned, or which arose during the minority, joint administration or any such interregnum when the Government of India held the position of a trustee with respect to the State concerned, could not afford any basis for intervention by the Government of India to the prejudice of the acknowledged rights of the State.

The Maharaja of Bikaner asked what usage was and how it did originate. The States contended that the mere asking for the advice of a political officer did not turn a particular course into usage. He held that no usage had a binding force if it came into conflict with treaties and no usage would be binding if it grew during the minority of a Ruler. Lastly, the usage of one State could not be applicable to other States. The Maharaja of Bikaner complained that although usage interfered with treaty rights and internal affairs, the States had no voice in framing it. He referred to the case of Manipur in 1891, when all usages and practices were denied and dismissed by a stroke of the pen, a highly objectionable and illegal course.

His Highness held that the question of usage or sufferance in the Indian States could not be judged by such practices between two independent foreign powers. Did the Government, he asked, expect us to declare a war or send an ultimatum when their treaty rights were sacrificed? He said that the time had come for the revision of the whole policy.

The Chief of SANGLI supporting the motion said that the Paramount Power should not apply its authority in an arbitrary way, but with the consent of the States, which course would be conducive to harmony. He felt that it was inconceivable that there could be an usage with universal applicability. The idea that such a thing was possible had done immense harm in the past. He urged that the time had come for an impartial enquiry into the whole subject.

The Viceroy put the resolution to the vote of the Chamber, which was carried unanimously.

##### 17. British India and the States.

The Maharaja of KASHMIR moved the second resolution of the day, recommending the creation of an effective machinery for settlement, by mutual agreement, of matters of common concern to British India and the Indian States. His Highness said that in matters of common concern it was necessary, in the interests of both the parties, that a machinery should exist which would ensure a fully impartial consideration of the views and interests of both. At present, it was the paramount power that was called upon to decide matters of common concern. That position was hardly fair either to the Paramount Power or to the Princes, because the Paramount Power was so closely identified with the Government of British India that decisions in such cases were at times almost perforce based upon an insufficient appreciation of the Princes' rights. The Maharaja of Kashmir, in support of this contention, referred to the evidence given before the Butler Committee, and said that they claimed that whatever machinery was evolved, it should form part of the constitution of India and should be created by statute so that no other body forming part of that constitution, might have authority over it.

The JAM SAHEB of Nawanagar, seconding the resolution, drew a distinction between the local and imperial functions of the Government of India. The former were confined merely to the executive of British India, while in the latter aspect, the Government of India was vested with the impartial consideration of Indian interests as a whole, and was expected to do justice between British India and the Indian States. The Jam Sahib held that in matters of common concern between the two component parts of India, the method so far followed had been for the Government of India to decide questions in its imperial capacity and decisions given *ex parte*. The position would be accentuated when the Government of India came more directly under the control of the Legislature. The Government of India had taken so far the position of a judge with the result that their interests had gone to the wall. He hoped some suitable machinery would be devised to meet the exigencies of the case. He moved for the creation of the effective machinery for the settlement of mutual agreement of matters of common concern to British India and the States.

The Maharaja of DEWAS (Senior) felt that good many matters of common interest between the Indian States and British India should be decided by the common consent of all.

The Ruler of BHAWALPUR further supported the resolution. He said the Legislative Assembly could criticise the policy of the Government if they wanted, but the States could not. They did not wish to interfere in the internal affairs of British India but their inter-dependence was very close. Therefore, there was an urgent need of machinery as urged in the resolution. The resolution was adopted.

### 18 Personal Status of Princes.

The Maharaja of ALWAR next moved that matters affecting the personal and dynastic status of the Rulers should be the subject of decision by the Viceroy, as the representative of the Crown in consultation with selected members of the order of Princes.

The Raja of SITAMAU, in seconding the resolution, said that the Government of India would increasingly be responsible to the Indian Legislature and it was only fair that a similar latitude was allowed to them. The resolution was further supported by the Chief of Sangli.

The Pant Sachiv of BHOR opposed the resolution and suggested an amendment to add at the end of the resolution :—"if any Prince wishes to have this procedure adopted in his case, when his status is sought to be adversely affected."

The Chief of JAMKHANDI also did not accept the resolution. He did not regard the Chamber as a truly representative body. It was only if the Chamber were a duly constituted body, including great and small Princes, that such a resolution could be acceptable. It was his painful duty to oppose the resolution.

The Maharaja of ALWAR said that he did not understand the implication of the amendment of the Pant Sachiv of Bhore. He said he wanted such consultation only after a Prince had agreed to it.

The Maharaja of BIKANER said that the misunderstanding was genuine, because the resolution was purposely kept in that form. The cases contemplated by the resolution were really those when matters like deposition, abdication, curtailment of powers and succession disputes were involved. Moreover they wished to imply, by this resolution, that such matters should be disposed of by the Viceroy as the representative of the Crown, and not by any present or future Government of India. There was no attempt at fettering the freedom of the Viceroy's action. It was the Chamber or its Standing Committee that was to be consulted, but the selected persons would naturally be those who knew the particular State and inspired confidence in the Ruler concerned.

The VICEEROY then put to vote the Pant Sachiv of Bhore's amendment which had three supporters, and was rejected. The Viceroy said that in such matters the Viceroy generally endeavoured to pursue the line of action indicated. But His Excellency met one difficulty. He found that it was easier to accept the Maharaja of Bikaner's interpretation of the resolution than to accept the resolution in the literal form in which it appeared on the paper. The effect of the exact working of the resolution would be to put the Viceroy's powers in this matter in quasi commission. That was not, the Viceroy was sure, Their Highnesses' intention. Nor was it possible for His Excellency to accept that position. The Viceroy did not agree with the Chief of Jamkhandi that the duty of opposition was painful. It was healthy for the Chamber's debates to have as much difference of opinion as possible. The Viceroy then put the resolution subject to the reservation that he had mentioned. The resolution was carried by a majority.

### 19. Independence Creed Disapproved.

The Maharaja of ALWAR moved: This Narendra Mandal, while welcoming the attainment by British India of its due place among the Dominions of the British Commonwealth at the earliest date possible consistently with the necessary safeguards and reservations in respect of all the different interests in the country, reaffirms its resolution of last year, and desires to place on record its emphatic disapproval of the policy of separation from the British Empire.

The Maharaja of Alwar said that independence was the law of life in every sphere. One wishes to attain independence, physical, mental or spiritual, but while this was an inherent tendency, they had in this mundane world to accept the bondage of wisdom. That was the bondage that kept society, community, nationality and internationalism going. Independence had thus to be regulated by the force of circumstances. So far as the States were concerned, they were bound by the word of honour, given by their ancestors in their treaties and engagements: "Subject to our allegiance and fidelity to the Crown we are free to seek as much independence for our country as would enable it to hold its head high among the sister Dominions." We of British India and of the Indian States, have different destinies to work out, but we are unitedly bound in allegiance to the same Crown. We want to march together, provided that the link of the Crown continues to bind us together and to render, while keeping our identities separate, the greatest service we can to our motherland.

The Nawab of MALERKOTLA, seconding the motion, assured the Chamber that their Order could resist every attempt to separate India from the British Connection. The resolution was then put to vote and carried unanimously.

### 20. Plea for "Rule of Law."

The Jam Sahib of NAWANAGAR next moved that suitable machineries be made available to adjudicate upon all matters of a justiciable nature and to arbitrate finally upon those of a nonjusticiable nature in issue between the British Government of British India and the Indian States or between the Indian States inter se, provided that in the last named case both the parties agree to the employment of these machineries. In case they do not, the present method for settlement should continue.

The Jam Sahib said that often cases arose which were matters for a judicial court. What form the machinery was to take, he said, it was too premature to state. It might take the form of a Supreme Court or a Judicial Committee, but whatever form it would take, its decisions should be in the nature of a judgment and not merely a statement of the laws and orders of the Executive. He felt that British India would welcome the proposal, which would definitely establish the rule of law in the country. "We are often asked to create the rule of law within our territories, and we only ask that the rule of law be established between us and British India."

The Ruler of Bhawalpur, seconding the motion, felt that the resolution was a practical necessity. The machinery suggested would put at rest for all times the existing and future differences of opinion. The Chamber adopted the resolution.

### 21. Simon Enquiry and the States.

The Maharaja of PATIALA next moved a resolution heartily welcoming the realisation by Sir John Simon and his colleagues that any recommendation made by them regarding British India could not affect the historical and constitutional position of the Indian States. The Maharaja of Patiala said that their Order had nothing to fear from an impartial enquiry and, none could modify their rights without their consent.

The JAM SAHIB felt that all schemes for a future constitution would be incomplete without a proper adjustment between British India and the States. They wished every success to the Simon Commission in their attempt to solve the question of the future constitution for British India. In conclusion, he said that they could not let the question of Indian States be made a party question in England or India. The resolution was adopted.

### Chancellor's Closing Remarks.

The Maharaja of PATIALA, the Chancellor, thanking the Viceroy at the conclusion of the session, discussed at length the various needs of Indian Princes. He felt gratified that the Committee of Inquiry into the fiscal and financial claims of the Princes would be shortly instituted, but felt that the question of customs duty on goods imported for the personal use of the Rulers should be outside the purview of such an enquiry. He urged that early effect be given to such an exemption.

Referring to the Round Table Conference, the Maharaja of Patiala pointed out the need of their delegation being adequately representative and being such as to ensure the point of view of the States being effectively expressed. He also suggested that, in addition to the Simon and Butler Reports, the relevant points from the proceedings of the present session of the Chamber and the evidence before the Butler Committee be laid before the Round Table Conference. His Highness next referred to the independence movement and said that, although he would refrain from claiming the right to dictate and prescribe a particular policy to British India, he would make it clear that the Princes were bound by their engagements to the Crown, which they could never break. They would, however, welcome British India attaining Dominion Status.

Alluding to the Indians Overseas, the Maharaja of Patiala regarded Kenya as a test issue and held that nothing would satisfy them unless Indians Overseas were granted complete equality of political status and economic opportunities throughout the Empire.

As regards railway policy, the Maharaja of Patiala urged that the right of the States to have financial interest in the lines passing through their territories should clearly be recognised and effectively observed. Similarly, in the case of lines within the States, which by agreement would fall due to be purchased, the States should have the first option to purchase and manage them.

His Highness also suggested that States be allowed to provide capital for railway construction in the future. He also reiterated the States' claim to a share in the petrol duty, which would form the main financial backing of the Roads Committee.

Regarding the Viceroy's suggestion to support the Chiefs' Colleges, the Maharaja of Patiala said that a committee had already been appointed to enquire into the question of the training of minor princes, and he suggested that the views of the governing bodies of the colleges and local authorities together with the draft scheme should be referred to the proposed committee. In conclusion, the Chancellor expressed the hope that the term of Lord Irwin's Vicerealty would be extended till the constitutional questions were settled.

#### Viceroy's Speech.

In closing the session of the Chamber of Princes, the VICEEROY made interesting extempore remarks. His Excellency said that the attendance at the session had perhaps owing to the importance of the subject discussed been very satisfactory. The admission of the press, their proceedings and the throwing of the public gaze on them had led to the interesting result that it had roused considerable interest in their proceedings; and their proceedings had exercised considerable influence on public thought. The Viceroy added that the interest in the proceedings of the House would be even enhanced, when Their Highnesses felt the urge to resort frequently to freedom of debate. They had been able by businesslike and expeditious handling, to conclude the programme in spite of the immensely wide subjects covered.

As regards the Chancellor's reference to the Round Table Conference and the delegation on behalf of the Princes, the Viceroy assured them that he would use all his influence to see that their representatives were those who would inspire the confidence of the Chamber, and of their Order. He would welcome the assistance of the Standing Committee or any Princes who would wish to express their view on this matter. As regards the various resolutions passed even though he had not been able to see eye to eye with them on all matters, the Government would be helped by the expressions of opinions made on these points.

As for the Butler report, it was apparent that they could not be said to have given assent to any points in the report on which they had not expressed themselves.

The Viceroy appreciated greatly the fact that the Princes, as a whole were unanimously of opinion that the proposed procedure by His Majesty's Government for the true test of matters of great moment, had their approval. The Viceroy said, that every moment, the conviction was growing more and more firmly in him, that the Princes and the interests of the States urging the work in the widest sense of the term, had nothing to lose, but everything to gain by publicity and a free examination of their case. The Viceroy complimented the Maharaja of Alwar on his remarkable speech in moving the resolution on the subject of Independence. The Viceroy added that, in so far as Independence was to become a concrete political programme of British India, it would not succeed in deriving any hope of support from All-India for that programme. Their Highnesses had rendered a public service by making that abundantly plain to the world.

*The Chamber then dispersed.*

## The Gaeckwar on Autonomy of States.

At the State Banquet, given by His Highness the Maharaja of Baroda to Their Excellencies the Viceroy and Lady Irwin at the Laxmi Vilas Palace, Baroda on the 21st January 1930 His Highness in proposing the toast of Their Excellencies made the following speech :

"It is now more than 40 years since I first had the pleasure of welcoming the representative of the Queen Empress to my capital and during those 40 years Baroda has steadily upheld its alliance with and has not swerved from its loyalty to the Crown. During my long life I have witnessed many things, so many that I should weary you if I begin to enumerate them. I have seen the struggle of the South African war and the more terrible ordeal of the German war, and I have shared in the anxieties of the Empire at those great crises. I have seen India advancing along the road to self-government and have rejoiced at the opportunity given to her to prove her capacity in the art of administration.

"Here too in Baroda, the 50 years of my rule have brought great changes. In my educational efforts in the organisation of my State, in my measures for economic development, in my endeavours to achieve social improvement, I can fairly claim to have been guided, during those 50 years, solely by the desire for the prosperity of my people.

"We are once more on the edge of an approaching crisis, and I pray God to give a right judgment to all those who have the destinies of India in their keeping.

"I am specially glad to acknowledge that under Your Excellency's wise guidance the importance of the Indian States is receiving fuller recognition than it has ever before received, and that their voice will be heard at the conference, which Your Excellency announced the other day.

"All my life long, I have strived, so far as was given to one man to do, to uphold the dignity of the States and their future has been my deep and abiding concern. We are proud of our ancient privileges. We are proud of our century old alliance with the British Crown, and we earnestly hope that whatever be the fate of India, those privileges and those friendly relations will in no wise be disturbed or altered.

"I would say, if I may venture to speak my mind, that the points which in the new order of things to be, we hold as especially vital to our welfare are these :

Firstly, the need for the complete autonomy of the States in internal affairs,

Secondly, the strict observance of our treaties, both in the letter and in the spirit,

Thirdly, the establishment of an independent court of arbitration to which both sides can appeal, as of right, and

Lastly, the devising of some means whereby the States will be able to speak with weight in all matters that are common between them and the rest of India.

"Long and anxious thought has convinced me that only so can the States enjoy their rightful place and that only so will British India and the States advance together in quietness and confidence towards their appointed goal."

## Maharaja Patiala on Congress Policy.

Speaking at the Basant Panchami Durbar, held at New Delhi on the 3rd February 1930, H. H. the Maharaja of Patiala said :—

At this juncture I feel sure you will expect me to address you upon the political situation, which is critical alike for the Indian States and for British India. The time has come for us, the Rulers and the people of the States, to speak out our minds upon the problems which confront us.

I need not say that we in Patiala have no desire to interfere in any manner whatsoever in those matters which are the affairs of British India alone. It is not our business to advise or criticise our neighbours, provided always that they realise that while they are entitled to manage their own affairs, we on our part, are equally entitled to manage ours. But when an ideal set up by a party in British India affords us also, then we should be doing poor service both to all India and to ourselves if we did not express our view.

The Indian National Congress, which met at Lahore during the Christmas week, has declared the goal of India to be complete independence. The British conception, which generations of British India politicians including such ardent patriots as the late Mr. Gokhale had taken pride in describing as providential, is denounced as an "unholy

thing," and "an embrace of death," and India is asked to seek as her objective the mirage of absolute and final separation from the British Empire. But an independent British India, while the Indian States continue in relationship with the British Crown, would be no nation but mere patch work. I am convinced that the Congress leaders realise this and that it is for all India that they desire independence.

In fact, they seem to assume that an independent British India would absorb or at least have full authority over the Indian States. Such an India, we of the States—peoples and Rulers alike—are bound to oppose with all our strength. The sacred obligations laid on us by our treaties leave us no alternative. By our treaties and engagements we are bound in honour to the British Crown and have incurred obligations which we are determined to discharge in letter and in spirit. We cannot, at the suggestion of any person however eminent, or of any organization however powerful, treat these obligations as of no account.

In these circumstances, is it not incumbent on us to ask by what right the Congress claims to speak for the Indian States? If there are in the Congress persons who profess to represent the people of the States, would it not be well to inquire how and by whom they are selected and what authority they possess to speak on behalf of us? And have we not grounds for maintaining that in endeavouring thus to commit us against our will to a course of action which we cannot possibly pursue, the Congress at Lahore has hindered and not helped the growth of that friendly co-operation between the States and British India, which alone can form the foundation of that Greater India to which we all look forward? It is time, I am convinced, that we of the States should once more make it plain that we cannot enter into any working arrangements with British India except on the basis that the connection with Britain is maintained.

This is enjoined not only by our treaty obligations which we must respect but also by our conviction, shared by most responsible and patriotic Indians, that no nation can now afford to stand aloof and that a Dominion India is a higher achievement than an Independent India from the view point alike of India, of Britain and of humanity.

We have heard it said that this declaration of independence as the goal of India is only an academic statement to which no exception need be taken. In my view, such an attitude is profoundly mistaken.

The history of the world has taught us that ideas themselves have a dynamic force. It is such ideas as those of severing the Indo-British connection which in the past have given birth to anarchy and revolution, which have not only caused widespread suffering to our country, but have served to retard the very cause which they profess to advance. Do not therefore let us fall victims to the facile optimism which labels dangerous ideas as being mere academic enunciations of amiable but misguided theorists.

Again, what is the method by which the advocates of independence propose to achieve their goal? The Congress has left us in no doubt about it. Independence, which the Congress has declared to be its goal, is to be achieved by a mass movement. We have had experience of such a movement during the days of non-co-operation. Even when planned upon a smaller scale than that which is now being prepared, it led to lawlessness, crime and extensive violence. No people who aspire for freedom can build on these quicksands. Freedom, I need not tell you, implies a stable social order and restrictions on anti-social activities necessary for the protection of that order. It necessarily entails restrictions on individual liberty in the interests of the community.

The position of the Indian Princes as guardians of law and order in their States would compel them to oppose, with all their resources, any movement which prepares to undermine authority and the foundations of social order. We cannot stand idle and look on while attempts are being made to drag our States down into the whirlpool. We are bound to offer our co-operation to the Government of British India for the maintenance of peace in the country and for upholding the principles of ordered Government.

The Princes and peoples of the States have no intention of opposing political progress in British India. We have on numerous occasions, expressed our sympathy with the legitimate aspirations of that part of the country. We go further. We are willing earnestly to co-operate with any body of opinion in British India which is prepared to build on the sure foundations of our existing national fabric. But we refuse to follow the will o'-the-wisp of independence, because we are convinced that the outcome will be disastrous in the extreme to the ideal of that Greater India which we cherish.

The Princes of India have been described "as being without any redeeming feature" by certain advocates of the new Congress creed. It would indeed have been strange if we should have appeared as anything different in the eyes of those who profess doctrines so subversive of law and order. In being singled out for attack as the antagonists of the independence movement the Indian Princes cannot but feel that a compliment has been paid to them.

"A new attitude towards us is that the States are interpolated pages—apocryphal additions—in the history of India. I need not point out to you how wrong this view is, how fundamentally opposed to the evolution of our history.

"If the nationalist movement in its desire for a symmetric pattern of Indian political life decided to act as if the States did not exist, the prospects before the whole country are gloomy indeed; for, we shall not hesitate to take all measures necessary for the vindication of our rights. The responsibility for such measures will be not on our shoulders, but on the shoulders of those who have compelled us to put forth our strength."

"The Princes and peoples of the States are desirous of assisting the political growth of British India, but they will not tolerate—they cannot tolerate—the growth in their territories, and they cannot watch with indifference the growth in British territories of revolutionary activities which may engulf them also.

"We assure our friends in British India that we desire nothing better than to live in friendship with them; we assure them of our practical sympathy in the cause of ordered progress, but we are convinced that the will-o'-the-wisp now being pursued by a section of politicians in British India will lead them through anarchy to depths even worse."

### Reforms in Sangli State.

His Highness the Chief of Sangli announced a scheme of constitutional reforms for the State at a Durbar held at Sangli on the 7th April 1930. His Highness, in the course of his speech, said:

"I think that at this time when constitutional changes of far-reaching importance to the future destiny of India are on the anvil the States cannot afford to remain stationary. This is a juncture when the Sangli State ought also to move with the times and do what lies in its power to modernise its administration. I, however, feel that we ought to take into consideration our local circumstances, peculiarities, traditions and sentiments.

"The form of Responsible Government which has been accepted for British India is no doubt the best form of Government evolved by Englishmen, but it has as yet to be seen how far it suits in its entirety the special circumstances of India. We have our own cultural traditions, and ideals of Kingship and beneficent Government which, I venture to think, it would be a calamity to throw away in our enthusiasm for new ideas. I may not be misunderstood by this to mean that I bear any hostility to the declared goal of Dominion Status for British India. I am in complete agreement with the resolution which the Chamber of Princes has affirmed and re-affirmed to welcome the attainment by British India of its due place among the Dominions of the British Commonwealth at the earliest date possible, consistently with necessary safeguards and reservations. I for myself have never seen any danger in it for our orders. But what I mean is that I am not one of those who believe that the States have had their day. I feel that they can yet play an important part in preserving in the best interests of the motherland all that is best in our past.

"I believe that the time has now come when the Sangli State should have some machinery which though it does not correspond exactly, on account of its local peculiarities, with that which has been introduced into British India may still be such as to be useful in maintaining a close connection between its Government and its people, by which it may keep itself informed of their needs and desires and by which they can make their voice heard and participate in the moulding of the destinies of the State. It is with that object that I have decided to provide for the constitution of a representative Rayat Assembly."

"The Assembly will consist of 30 members, of whom 10 will be nominated by the State and 20 elected by the various constituencies, only 10 of the 30 being officials and the remaining 20 non-officials. The Assembly so constituted will be, as in British India, an advisory body with power to ask questions, move resolutions including those on the Budget, and pass laws. There will be rules and standing orders regulating such matters as the franchise, and conduct of business.

"I am not insensible to the fact that the measure of reforms which I am granting may not come up to the expectations of many of my people, but I hope they will remember that Sangli is a small State, with slender financial resources and other limitations.

"I shall anxiously watch how the Assembly works in practice and welcome all suggestions that may be made in the interests of its improvement. I feel very confident that they will respond to my call with loyalty and a sense of responsibility so that my Government and my people may both work in a spirit of mutual toleration and goodwill towards the realisation of the ideal of a model State."

# Report of The Patiala Enquiry Committee

The Patiala Enquiry Committee was constituted by the following resolution of the working committee of the Indian States' People's Conference passed in its meeting of the 11th August 1929 held in Bombay :—

" This meeting of the working committee of the Indian States' People's Conference appoints an enquiry committee of the following members, with power to co-opt, to go to the Punjab, to make all necessary and possible enquiries into the allegations made in the memorial presented to H. E. the Viceroy by some citizens of the Patiala State and report to this committee, as early as possible, their opinion on the substance contained in the said memorial.

1. C. Y. Chintamani Esqr, Chairman.
2. L. R. Tairsee Esqr.
3. Sardar Sardulsinh Cavisher Esqr.
4. Prof G. R. Abhyanker.
5. Amritlal D. Seth Esqr.

Sardar Sardul Singh having expressed his inability to work on the Committee, Mr. A. V. Thakker was appointed in his place by the Working Committee in its subsequent meeting.

Of the members of the Committee, Mr. Chintamani, the Chairman, and Mr. Tairsee, another member, could not go to the Punjab. Messrs. Thakker, Seth and Abhyanker, therefore, conducted the enquiry, Mr. Thakker acting as Chairman.

It is pertinent to give here the genesis of this Committee. During the session of the Indian States' People's Conference held in Bombay in the month of May in 1929 under the Presidentship of Mr. Chintamani, the Gen. Secretary of the Conference received a copy of the Memorial submitted by ten gentlemen of Patiala to H. E. the Viceroy : the Gen. Secretary distributed copies of the same in the Conference. Allegations made in this Memorial were so astounding that everyone that read it was shocked and exclaimed : " No, no. These can't be true ; if they were true, the Government won't stand them." But the fact remained that the Memorial had been submitted to H. E. the Viceroy and that the memorialists had undertaken to prove all the allegations if they were afforded an occasion and facilities to do the same. The Memorial still remained undisposed of by the Government of India. Thus the Memorial had become the principal topic of discussion during the Conference days. Mr. Chintamani, the President of the Conference, during the course of an informal discussion said : " Even if 5 p.c. of what is written here is true, the man deserves a sack from his gaddi." The Working Committee of the Conference therefore took up the matter seriously and appointed the above Committee to enquire into the allegations made in the Memorial.

The Committee was fully aware of the difficulties that lay ahead. The Maharaja of Patiala is regarded as one of the leading Princes of India. He is also the Chancellor of the Chamber of Princes. Occupying the Throne of Patiala for 20 years, he wields in his State all the autocratic powers which unlimited monarchy has given him. As Chancellor of the Chamber of Princes, he holds a position of responsibility under the British Government. Thus, while on the one hand, the Maharaja of Patiala is really a very powerful Indian Ruler, on the other are his helpless subjects pitted against him with absolutely no political powers. They have to fight single-handed against the misrule of this Prince. Almost all the victims of the oppression of this Ruler are also the witnesses of oppression are the subjects of the State and are living in Patiala jurisdiction. Possessing vested interests in the State they are exposed to a very great risk both to their persons and to their properties in deposing against the Ruler while he remains installed on his gadi and the Committee is powerless to afford any protection to them. Under these limitations the Committee felt considerably handicapped in its work. But still it started on its mission and the Committee is glad to announce to the public that it has certainly been able to gather a good deal of material which when examined and analysed establishes a strong ' prima facie ' case against the Maharaja.

The number of allegations mentioned in the Memorial is very large. Naturally the Committee could not go into all of them because it had not adequate means at its disposal to do so. Some of the allegations are such that it was very difficult for the Committee to get into touch with the persons concerned. For example, there is the allegation about the licentiousness and debased habits of the Maharaja the principal



victims of which are the Pahari girls. The evidence to this charge cannot be obtained by merely going to the hills. Unless the relations of the aggrieved girls came before the Committee it was impossible to ascertain the exact details. The relations are panic-stricken and belong to the ignorant and illiterate hill-tribes. There is another allegation about persons rotting in Patiala jails. It was impossible to visit these people in the Patiala jurisdiction. If an official enquiry is held these inmates of the jails in Patiala can be summoned to give evidence. About the financial condition of the State and about its general administration the only authentic proofs are the administration-reports and the budgets of the State. This material is not available to the public. The Committee, therefore, had to be content with the investigations of only a few of the allegations in the Memorial and had to base its report on the material that came before it during the course of the investigations. For the purposes of this report the Committee has, therefore, prepared the following counts of indictment on which the Committee would proceed to report.

1. Lal Singh's murder.
2. The setting up and maintaining of a bomb factory in the Fort of Bahadur Garh in Patiala State.
3. Disappearance of Bichiter Kaur, her son and her daughter.
4. Keeping and not releasing the wife of Sardar Amar Singh.
5. Illegal arrest and confinement of Sardar Harchand Singh and confiscation of his property worth 20 lakhs.
6. Concoction of false cases.
7. Inhuman tortures, illegal arrests and confinements and high-handed confiscations of property.
8. Ruinous consequences of Maharaja's Shikars.
9. Tyranny of *begar* or forced labour and the system of exacting provisions.
10. Non-return of War Loan money.
11. Revenue and Irrigation grievances.
12. Misappropriation of funds raised for public purposes.

### Enquiry Committee's Report.

The Patiala Enquiry Committee started its work from the 16th of December 1929 at Lahore and finished its labours on the 30th of December at Lahore. It visited Buldhana, Ambala and Ludhiana for the purpose of taking evidence of witnesses residing near those places. In all it held twelve sittings. It orally examined 46 witnesses and took 35 oral statements. Hundreds of people attended the Committee's sittings at Buldhana, Ambala and Ludhiana, many of whom took part in the general discussion with the Committee about the state of administration in Patiala and gave great help in understanding the real situation prevailing. 12 written statements were tendered to the Committee by witnesses themselves, while 46 written statements that were taken by the Punjab Riyasati Mandal were handed over to the Committee by the Mandal. The Committee did not call in these witnesses before it, because witnesses stating similar things had already been examined by the Committee.

The proceedings of the Committee are given herein as appendix A. A list and substance of the exhibits are given as appendix B. In appendix C is given the Patiala Memorial which was the principal subject matter of enquiry. In appendix D is given the evidence in support of each count of the allegations. In appendix E we give some of the full written statements received by the Committee. This has been necessary, because the arrangement of publication of evidence has been according to counts under which only relevant extracts—and not full statements—could be inserted. Publication of full statements was deemed necessary to give a complete idea of the whole situation. In appendix F we give the facsimiles of several important documents.

The Committee would now proceed to examine each of the counts.

#### 1. Murder of Lal Singh.

Sardar Lal Singh who was the cousin of the father-in-law of the Maharaja, married a beautiful wife named Dilip Kaur. The Maharaja saw the woman, fell in love with her and kept her in his palace. He tried his best to induce Sadar Lal Singh to divorce her. Lal Singh refused. The woman was staying in the palace all along and had two daughters by the Maharaja. Only once or twice she was allowed to go to her husband. The Maharaja then married her privately. Lal Singh then expressed his intention to approach the British Government. This upset the Maharaja. He asked Nanak Singh, his Superintendent of C. I. D. to dispose of Lal Singh and gave him money for the purpose. But

as Nanak Singh could not accomplish the deed soon, services of one Gumdur Singh, a notorious exile from Patiala were secured for the purpose. It appears that it was arranged that the murder should take place when the Maharaja would be absent in England. The plot of murder was then hatched and after one unsuccessful attempt Sardar Lal Singh was murdered. When news of this murder reached the Maharaja in England, he distributed presents worth Rs. 1100 among his men. After allowing a little time to pass, the Maharaja married this Dilip Kaur publicly. The woman is now known as Her Highness the Maharani Dilip Kaur.

#### Examination of Evidence.

Let us now proceed to examine the evidence. We are in possession of two important documents in this connection. They are Ex. 38A and 38B. The first is the statement made by Nanak Singh himself and the other is the judgment of the Patiala Court in Nanak Singh's case. So far as the details of the plan of the murder, the execution of the same, as also the part played by everyone except the Maharaja in this affair are concerned, both these documents agree in all details. That is, the statement made by Nanak Singh and the judgment of the Court, both agree as to following facts. (1) That Lal Singh's wife was in the palace, (2) that Nanak Singh and Gumdur Singh, the murderer, both attempted to take a divorce deed from Lal Singh, (3) that Lal Singh refused to consent to the divorce, (4) that Gumdur Singh was an exile from Patiala, that all his property was confiscated, and that all his attempts to get back his property and his return to Patiala had proved in vain though he had sought intervention of the British Government to that end, before he was called in to take part in the murder, (5) that all of a sudden his application to be allowed to return to Patiala and for the return of his property was sanctioned by the Maharaja within extraordinarily short space of time, i.e. four days, (6) that he got the honour of being immediately presented to the Maharaja on the eve of the Maharaja's departure for England, (7) that before the Maharaja left the Indian shore the Maharaja issued an unusual order to give a share to Gumdur Singh in the property of a relative of his, (8) that Lal Singh is then murdered by Gumdur Singh and others, (9) that Gumdur Singh did this for selfish ends.

To these facts accepted as proved in the judgment of the Patiala Court, the following further facts that are undisputed may be added: (1) That the Maharaja marries the murdered man's—Lal Singh's wife Dilip Kaur in public, that this woman is now the Maharani of Patiala; (2) that the murderer Gumdur Singh is subsequently released from the jail by the Maharaja, (4) that he is to-day the favourite of the Maharaja.

Taking the thread from the facts accepted by the Patiala Court, let us think for ourselves what were the selfish ends that the Court believes Gumdur Singh had in view? And what were the selfish ends that Nanak Singh had in view? The Court believed that both of them wanted the favour of the Maharaja. We however find that Gumdur Singh had secured it even before the murder. What could have led the Maharaja to sanction the return of the former's property suddenly before his departure to Europe? What must be the reason of the immediate and unusual meeting of the Maharaja and Gumdur Singh just at the time of the Maharaja's departure from Patiala? The Court says that Nanak Singh secured him all that from the Maharaja. But how could Nanak Singh have done all that? Nanak Singh must have represented something to the Maharaja. What could that something be, which was even greater than the pressure of the British Government? What was the reason of the Maharaja's extraordinary concessions to Gumdur Singh immediately before the murder? Release of Gumdur Singh after conviction of the murder and marriage of the Maharaja with Dilip Kaur make the story complete. There was a row about this murder of Lal Singh. The British police was also on the scene. A regular trial was therefore unavoidable. That was done, and shortly after this peculiar sort of trial was over, Gumdur Singh was released and was allowed to stay and enjoy his property and since then he has become the Maharaja's favourite in Patiala. If Gumdur Singh was a dangerous man, his dangerous character was further proved by his conviction of murder. He ought therefore to have been exiled again. But, strangely enough, reverse is the case. The inference is therefore irresistible.

One thing more; the judgment speaks of Nanak Singh's official police diary; and it says that the diary seeks to implicate such a great person as the Maharaja. This means that the diary produced in the Court did mention the Maharaja's complicity in the crime. But the Court has ignored this point altogether. And that is quite understandable.

The draft of a divorce deed by Sir Daya Kishen, the then Prime Minister of Patiala, the Maharaja's attempt to get possession of documents then in the custody of Nanak Singh's relatives, the use of the State pistols—all these go to support the theory of the complicity of the Maharaja in this matter.

Lastly, the statement written by Nanak Singh seems to be very natural. Except in one detail of the Maharaja's complicity, it is accepted by the Court. Nanak Singh had written it before he was arrested and convicted. He had nothing to gain then by falsely implicating the Maharaja in his diary. The statement shows his own guilt as well. Under the circumstances the statement deserves to be considered seriously. We are inclined to attach much weight to it.

We believe if the investigation of this case is taken in hand by the authorities and if witnesses are immune from the consequences of their stating the truth, all the other actors of the drama can be easily traced and the hidden hand behind this heinous crime can be easily detected.

**Conclusion:**—Thus we have reasons to believe (1) that Sardar Lal Singh was murdered, (2) that he was murdered by Gamdur Singh, (3) that Gamdur Singh did so to secure the Maharaja's favour, (4) that he did it under instructions, received directly or indirectly from the Maharaja of Patiala. The evidence detailed above makes out a strong *prima facie* case about the complicity of the Maharaja in the murder of Lal Singh.

## 2. A Bomb Factory.

With a view to concoct evidence against the Maharaja of Nabha, the Maharaja of Patiala set up a regular bomb factory in the fort of Bahadur Garh in Patiala territory. Two Bengali youths were employed for the purpose. Dr. Baxis Singh was placed in charge of the said factory. Dr. Baxis Singh says that the factory gave an output of 1526 bombs. He further gives an account of how those bombs were disposed of by the order of the Maharaja.

### Examination of the Evidence.

According to the statement of Dr. Baxis Singh, people directly concerned in the affair are (1) the Maharaja, (2) Sir Daya Kishen Kaul, (3) two Bengali youths bearing false names, (4) Dr Baxis Singh, (5) Bijla Singh, and (6) Ram Singh.

Next to the Maharaja of Patiala, Sir Daya Kishen, the then Prime Minister, is certainly an important figure in this affair. He is no more in the service of Patiala State now and is in retirement at Lahore. Two Bengali youths have disappeared and none knows where they are and who they were. Bijla Singh is in Patiala State service even now. Ram Singh is not in Patiala, but he is not inclined to speak out as is seen from the manner in which he has given his statement. As noted in the proceedings of this Committee, he has not appeared before the Committee, but has only sent his written statement. There too he is taking care to conceal his identity by the use of third person singular for himself in the whole of the statement. Such a statement can have no value whatever in ordinary circumstances. But the Committee is assured by Sirdar Sardul Singh B. Sc. the Secretary of the Punjab Riyasati Praja Mandal, that he knows Bhai Ram Singh personally and that it is the statement given by him. Further, the fact that there is the sword of Patiala hanging over him even now, is certainly to be taken into consideration. His statement is to be considered in the light of these circumstances.

Let us therefore see whether he is supported by any other evidence. The whole part played by Sirdar Pratap Singh in concocting evidence for starting criminal cases, is related in this statement of Ram Singh; and Paatap Singh's statement corroborates it in material particular. The part played by Baxis Singh as narrated in his statement also corroborates the same. All this goes to show that the statement of Ram Singh although not made before us directly is one which is worth consideration.

Then there is a statement of Sardar Pratap Singh. He comes a little late on the scene so far as this bomb factory is concerned. He only states that there was a talk of the bombs made at Bahadur Garh in his presence between the Maharaja, Sir Daya Kishen and others. As a result of that talk bombs were supplied to him which he placed according to instructions. Thus, although not directly concerned with the factory, he is the witness who used the bombs made in the factory, which fact goes to support the allegation of the setting up and maintaining of the bomb factory at Bahadur Garh.

There is one statement of Sardar Sardul Singh B. Sc., who was the Secretary to the Shiromoni Gurdwara Prabandhak Committee. S. Sardul Singh says that the Committee received the diary from Baxis Singh with a messenger. The Committee was then in a serious predicament. The Committee sent over to the police the diary and the messenger who brought it. This statement of Sardul Singh corroborates that part of the statement of Dr Baxis Singh. This shows that the story of the bomb factory is not invented by Baxis Singh. He recorded it in his diary which he wrote from day to day and which he dispatched to the S. G. P. C. when he was still engaged in the factory.

Then comes the most important statement of Dr. Baxis Singh. He is, as a matter of fact, the Hamlet of this drama of the bomb factory at Bahadur Garh. Hi

is really an extremely interesting and extraordinary story. It reads more like a novel than a reality. He was a hero who rescued a Sikh lady from the so-called police custody, taking his inspiration for this adventure from the pages of Sikh history. His reputation attracts the notice of the Maharaja of Patiala and of his Prime Minister, who appear to be in search of people with such daring spirit and he is requested to be in charge of the bomb factory. Although unwilling, he submits and is promised two villages, a kothi, a motor and a large amount of money. But he does it only as a matter of compulsion, and with a double purpose of serving his community by exposing the Maharaja of Patiala. He keeps diaries wherein he enters every day occurrences and takes the most novel course of introducing in each bomb a note giving the history of the bomb. He then escapes, and gets entrapped in Nabha. When out, he hastens to relate his story in public and unburdens his heart before the Chief of the C. I. D. in the Punjab. That gentleman tests his statement and is convinced of its truth and as a consequence affords the fullest protection to this man. After that he has been in hiding for several years passing his life in the jungles. Twice he is fired at, but he escapes unhurt. He told the whole of his history publicly before the Punjab States' People's Conference during the last week of December 1929.

In his statement the following facts are noteworthy for the purpose of assessing the value of its contents :—

(1.) He says he sent one copy of his diary to S. G. P. C. This fact is corroborated by S. Sardul Singh.

(2.) He says he sent his diary to the Government of the Punjab as also to the Government of India.

(3.) He says he gave his statements to various C. I. D. Officials and finally to their Chief who tested all his statements and made a note in his favour in his records. This could be verified from the Government records.

(4.) In spite of his public statements the British Government have not taken any action against him. This shows what he says about the sympathy of the C. I. D. Chief shown to him must be true.

(5.) Although the Patiala State has asked the Government of the Punjab to surrender him to Patiala, the Government of the Punjab have refused to surrender him. This goes to prove that the Government have some faith in the statements of Dr. Baxis Singh.

One more reason for believing the story of the witness is this : that if a witness wishes to exaggerate or tell lies, naturally he would point to sources of material which can never be tested or he would point out to no material whatsoever. But when he refers to material which is easily available he takes the greatest risk of being branded as a liar and a perjurer. This gentleman has taken all this risk. Considering all the circumstances we are inclined to believe in the statement of this man.

**Conclusion**.—For all the reasons stated above, we come to the conclusion that there is a good prima facie case that the Maharaja of Patiala did set up and maintain for some time a bomb factory in his fort of Bahadur Garh in his territories.

### 3. Disappearance of Bichiter Kaur.

Bichiter Kaur was the wife of Dr. Baxis Singh. When Baxis Singh left Patiala he left behind his wife, daughter and son. All of them have disappeared to-day. Baxis Singh says that his wife was murdered by the orders and in the presence of the Maharaja and that his daughter was murdered by Bijla Singh's wife. His son was last seen being handed over to the Maharaja in his Moti Bagh Palace, but all efforts of his father to trace him are gone in vain.

#### Examination of the Evidence.

According to Dr. Baxis Singh, persons directly concerned in this affair are, (1) Bijla Singh, (2) Ram Singh, (3) Pratap Singh, (4) the Maharaja, (5) Sir Daya Kishen and (6) Jeewanlal.

Bijla Singh is still in the service of the State. Sir Daya Kishen and Jeewanlal have left Patiala ; even then their evidence is not available. The Committee has discussed in details what weight to be attached to Ram Singh's statement. It has also discussed the evidence of Pratap Singh and Baxis Singh above.

One fact is undisputed. It is this. That Bichiter Kaur and her son and her daughter have disappeared. Whether they are murdered, or have died a natural death or are alive somewhere is all a mystery.

Just at the moment when Baxis Singh was about to bolt from Patiala, he says he entrusted his wife and children to the British C. I. D. Whether this is a fact, can only be testified by the C. I. D. officer Rai Sahab Bhagwandas concerned. Naturally, we

could not have his evidence. But when we are believing all the other portions of Dr Baxis Singh based on his own personal knowledge, this part of the statement too deserves to be considered. We take it that Bichiter Kaur and her children have disappeared when they were in the jurisdiction of Patiala.

Then about their fate. So far as the son of the doctor is concerned, Pratap Singh, whose evidence is very natural and appears to be true, says that he was present when the boy was handed over to the Maharaja in the Moti Bagh Palace. Pratap Singh had seen the boy before with the Maharaja's man, and he saw the boy last in the Maharaja's possession. That is the last that is heard of the boy.

About Bichiter Kaur, stories differ. Ram Singh confesses the different varieties of violence practised upon her, but says that her death took place after a long illness, of course, due to violence. But Baxis Singh narrates another story. His authority for this is Meher Singh. According to Baxis Singh, Meher Singh was directly concerned in the murder. This Meher Singh has given his statement to the Punjab Riyasati Mandal. But he has not appeared before this Committee. Baxis Singh narrates that Meher Singh told him that Bichiter Kaur was shot dead by the orders and in the presence of the Maharaja. But at the same time Baxis Singh says that Meher Singh would not confess this murder before any one because that would make him liable for murder. Baxis Singh further believes that if, at all, Meher Singh came before the Committee, he would say the same thing as Ram Singh has said. But Meher Singh has not come before the Committee. Nor has Ram Singh done so.

Under the circumstances, there remains only the evidence of Baxis Singh who has no direct knowledge of the murder or death of his wife and daughter.

**Conclusion :—**We therefore come to the following conclusion. (I) That Bichiter Kaur who was last seen in the jurisdiction of the Patiala State being not traced now, the Patiala Darbar is accountable for the disappearance of Bichiter Kaur and her daughter. (II) That the son of Dr. Baxis Singh being last seen in the possession of the Maharaja himself, he is personally liable for the disappearance of the boy.

#### 4. Wife of Sardar Amar Singh.

The Maharaja took fancy for the wife of one Sardar Amar Singh, when she was at her father's house in Patiala. The woman is therefore kept in the Palace for the last 18 years where she has given birth to a son and a daughter. Her parents are given honorarium. Her husband Amar Singh has been continuously harassed with prosecutions all of which have failed till now. Even to-day one prosecution has been started against him and he has been thrown into jail. He is not released yet.

Sardar Amar Singh applied to the Punjab Government and the Government of India, which have replied to him advising to withdraw all his claims on his wife and accept Rs. 20,000 from the Maharaja. This offer is not accepted by Amar Singh.

#### Examination of the Evidence.

This charge stands on altogether a different footing. The correspondence that passed between the Political Officers of the Government of India on the one hand and Sardar Amar Singh on the other, distinctly proves the same to the hilt.

The letter of the Political Agent admits that the woman is the wife of Amar Singh. The letter further admits that she is with the Maharaja. The letter moreover seems to encourage and connive at the whole affair by recommending to the husband the offer of Rs. 20,000 made by the Maharaja. So the whole charge is completely proved by this correspondence.

In Sikh Law divorce is not allowed. One married woman cannot marry another man under any circumstances. Even if Sardar Amar Singh withdraws his claim, that would absolve the Maharaja only from the civil liability and not from the criminal liability of adultery or enticing or taking away a married woman if the Maharaja is a private citizen.

**Conclusion :—**We consider that this case is completely proved and the Maharaja deserves the same conviction which any other citizen of Patiala would have suffered under the Criminal Law in force in the State.

#### 5. Confiscation of Properties.

Sardar Harchand Singh was one of the biggest and the most respected Jagirdars in the Patiala State. For a long time he was an A. D. O. to the Maharaja. His wife frequently got invitations from the Palace along with other aristocrats and officers of the State. Harchand Singh did not like to accept these invitations. Just after Sardar Kharak Singh's tour in Patiala, Harchand Singh was arrested and is now in Patiala Jail.

All his properties worth about 20 lakhs have been confiscated by the State. His wife and children were driven out penniless in the street. His wife Sardarani was not allowed to take even her shoes, her person was searched by a Mahomedian officer and they could travel by the railway only when the Station Master gave them a loan of Rs. 10. Sons of the Sardar were likewise confined in their Patiala residence in company with their servants for some time. They were then released. All this has happened without any trial and without any legal proceedings taken against him. No written order of any kind has been passed by the State.

#### Examination of the Evidence.

Sardar Harchand Singh is in jail in Patiala. His wife and children are outside Patiala. They appeared before the Committee. The Committee took their statements and examined them thoroughly. The Committee has found that their statements are true and they deserve to be relied upon completely.

No more proof is necessary to prove the allegations. Everything that is necessary and possible to be adduced has been adduced before the Committee.

**Conclusion.**—The Committee is therefore of opinion that the whole charge is proved in toto. The State of Patiala and the Maharaja of Patiala are responsible for this high-handed and outrageous Zulum practised on Sardar Harchand Singh and his innocent family.

#### 6. Concoction of False Cases.

The Patiala Police concocts false cases against individuals who are the objects of the Maharaja's wrath. The following is the list of cases that have been brought to the notice of the Committee.

1. The case concocted by the Patiala Police against Santa Singh and others for keeping bomb materials, weapons, etc.
2. The case concocted by the Patiala Police against Baxis Singh for keeping bomb materials, weapons etc.
3. The case concocted by the Patiala Police against Sardar Dewan Singh for keeping cocaine etc.
4. The case concocted against Sardar Amar Singh and his brother for different offences.

#### Examination of the Evidence.

Evidence of the first four Exhibits has been already discussed under former heads and the Committee has accepted their statements as reliable.

The statement of Sardar Diwan Singh, the editor of the 'Riyasat', in this connection makes a very instructive reading. There has been a series of concoctions against him and in all of them Sardar Diwan Singh has been honourably acquitted once by the Court of Law and then by the Executive of the Government of India. In one case when, according to Sardar Diwan Singh, Patiala got cocaine placed in his house, the case went up to the Law Courts. Then the Court did find that the cocaine was placed by the hirelings of Patiala, and some police officers concerned were dealt with by the Government. One of these officers Mr. Jiwanlal was then taken up in the Patiala Service and made the Chief of C. I. D. That shows the mentality of the Patiala Darbar and has an important bearing on the question dealt with under the count.

The evidence of Pratap Singh in this connection is very illuminating. He is the man who on instructions from the Maharaja placed bombs etc into the house of Santa Singh. It is he who gave false evidence in the court. It is he who suffered sham confinement. For all that he has received his reward from the Maharaja, of course not to his satisfaction. He has made a voluntary and full confession before this Committee and has rendered himself liable to legal penalties for all that he has said before us of a self-incriminating nature. We are therefore inclined to believe in his statement of concoctions of false cases by the Patiala State through him.

One further fact that goes to strengthen our belief in the allegations under this count is that although the Patiala State Judiciary issued warrant against Dr. Baxis Singh, the authorities in British India have refused to hand him over to Patiala; evidently they must have refused to believe in the truth of the cases sent by Patiala against him.

Sardar Amar Singh, whose wife is detained by the Maharaja, is in Patiala Police custody even to-day under some trumpery charge. Evidence of his brother shows that both he and Amar Singh were once arrested and imprisoned; but there being no material to put up a case even before the Patiala Court, they were released.

**Conclusion.**—Thus we find that it has been a common practice in Patiala to bolster up false cases against persons who are in disfavour of the Maharaja. We find that the cases

particularly mentioned above have been proved to be false by the judicial courts and as deliberately instituted to harass the individuals concerned.

#### Inhuman Tortures

The Maharaja of Patiala arrested one Sardar Seva Singh Thikriwala, a prominent Akali leader. Sardar Kharak Singh, the well-known leader of the Sikh community, took it into his head to go to the Patiala State to ascertain facts in this connection. His programme was advertised. So a number of people attempted to go to meet him or to treat him where he encamped. Persons found to be so co-operating with Sardar Kharak Singh were arrested, confined and tortured by the Patiala Police. Statements received in this connection make a staggering reading of the inhuman tortures, indiscriminate arrests and imprisonments without any trial, and illegal confiscations of property, and disclose the utter absence of rule of law in Patiala.

#### Examination of the Evidence.

There can be only three kinds of witnesses in such cases : (1) victims themselves, (2) eye witnesses, (3) persons through whom these oppressive acts were committed.

Of the first there are so many. We have ourselves examined about a dozen of these witnesses. We cross-examined them too, and then there were written statements of not less than a hundred in number. We selected only specimen statements for our file ; because we did not wish to make our file needlessly cumbersome. All these victims are the subjects of Patiala. Most of them are still residing in that territory. They have got their lands and families there. This fact coupled with the fact that they are giving minute details of the tortures, make their statements very reliable.

Then comes the class of eye-witnesses, who are all evidently the subjects residing in Patiala. There were many who came before the Committee to say that the allegations made were absolutely true. Particularly at Buldhana, where Sardar Bidha Singh, the principal victim, appeared before the Committee not less than 50 persons were present in the hall of the Committee. These people themselves were not the sufferers, but they were the eye-witnesses to what had befallen Bidha Singh. They were unanimous in narrating in the most pathetic and touching manner that even the Devil would not do what Patiala Police did to Bidha Singh.

There remain the Patiala servants of whom at least some are reported to be appearing sympathetic. But that evidence is naturally not available and can only come forward when the British Government makes a public enquiry and the witnesses have got an immunity.

**Conclusion :—**On the strength of evidence produced before us we find that there is a strong *prima facie* case to hold that the Patiala Police is guilty of illegal arrests, imprisonments and tortures of Sardar Bidha Singh and others, that further the Patiala State authorities are guilty of illegal confiscations of the properties of Sardar Bidha Singh and others.

#### 7. Maharaja's Shikar.

The State of Patiala abounds in Hills and Forests. It also consists of hills near Simla. Simla itself belongs to Patiala, although the same is now given to the Government. But the Maharaja had no lake in the State. This has been specially made by erecting a big bund in the river Chunal. This is half a mile wide and two miles long. Special canals have been constructed to join the other canals with this dam, so that when the Maharaja wants to shoot, superfluous water can be taken away to other canals and vice versa. During the winter the Maharaja goes for a shoot in this lake. Weeds grown in water are to be cut off. So the poor agriculturists of the surrounding villages are impressed to do this work in cold winter and are required to stand in water for the purpose. This dam is full of serpents and such other dangerous reptiles. So the people are exposed to the consequences of cold and the risk of snake-bite in the water. The fields near this dam are not allowed to be cultivated although the assessment for the same is recovered by the State. Roads nearby are not allowed to be used by the people. All provisions required by the Maharaja and his camp, namely ghee, milk, eggs etc. are to be supplied by the people without proper cost. The same is with the summer-hunts in Pinjore etc.

Moreover the Shikar-laws are causing ruin to the agriculturists. All wild animals are protected by law. They cause serious damage to the crops. The agriculturists have to witness the destruction of their own crops with utter helplessness.

#### Examination of the Evidence.

This Committee is concerned with the consequences of the Shikar by the Maharaja. These Shikars involve a huge waste of time and energy of the Maharaja which ought

to be spent by him in the work of the State. Further they entail enormous loss to the poor people. One can very easily imagine what must have been the cost of such a big lake like Bhupinder Sagar which is specially built for the Maharaja's shoot. One canal is specially constructed to facilitate the shooting in the lake. Agricultural fields near this lake and forests specially reserved for the hunts, could be very profitably utilised for cultivation. That is another loss to the State caused by this expensive luxury of the Maharaja. But the worst feature of this luxury is the great harassment to which the people are subjected to minister to the comforts of the Maharaja in this Shikar. Let us see what all that means to the people.

When the Maharaja is shooting in the lake, weeds grown in water naturally come in his way. So the people from the surrounding villages are compulsorily summoned to cut the weeds which they have to do in the intense cold of the Punjab, and that too, while standing in water. Further the water contains serpents and other reptiles which mean danger to the life of the people who are compelled to work there. Thus people are exposed to grave risk to their health and life in this forced labour. It is a good news that people were not compelled to do this work last year and are not called for the work this year also.

All necessary provisions for the camp of the Maharaja have to be supplied by the people without adequate consideration. This is another serious grievance. It may be that the State might be giving some paltry return in money for these provisions, but the fact remains that people are compelled to provide these articles at the cost of even their family necessities when the Maharaja and the Tikka Sahab are camping for the shikar. Just at the time when the Committee was recording evidence in Ludhiana, a direct victim belonging to Lunda Talsil informed the Committee that at the very moment the Tikka Sahab was camping near his village and the whole village was compelled to send all their stock of milk, ghee etc. to the camp, so much so that they could not keep any surplus even for their children.

When the Maharaja is going to the hills for the hunt he requires bullock carts to carry his camp equipage as also to bring it back. Villagers are compelled to supply all the necessary carts with a very inadequate remuneration for the same.

People are further collected together in great numbers for the purpose of beating the forests. For this purpose they must leave their homes and cultivation and must come to the camp to facilitate the hunt by the Maharaja.

All the evidence in support of these allegations was further tested by the cross-examination of witnesses by the Committee, and the Committee sees no reason to disbelieve the statements made before them.

*Conclusion* .—The Committee has therefore come to the conclusion :—

- (1) That the Maharaja's shikar cost enormous expenditure to the State.
- (2) That the people are put to all sorts of harassment to their persons and suffer hardships in their cultivation in various ways during the shikars by the Maharaja and the Tikka Sahab or the guests of the Maharaja.
- (3) That the Begar meaning forced labour and the system of exacting provision with very inadequate payments is in full vogue during these shikars.

### 8. Tyranny of Begar.

Begar is rampant in the State. It is enforced by the State as under :—

- (1) During the hunts arranged for the Maharaja and the Tikka Sahab or for the guests,
- (2) During the time when army moves for manoeuvres,
- (3) During the visits of Revenue and Police officials including even the smallest of them like Patwaris.

Begar can be classified as under :—

- (1) To construct even the banks of the canals or to repair them, irrespective of the fact that these particular canals are not at all intended for irrigation purposes.
- (2) To dig the canals. A canal five miles long, twenty feet broad and ten feet deep was so dug for Shikar purposes only.
- (3) To cultivate State Gardens.
- (4) To construct and repair roads, at the time of the Shikar.
- (5) To build urgent works like amphitheatre for wrestling matches.
- (6) To serve as village-guards during the night, known as Tikri Pahara.
- (7) To beat the forest and do similar works for the Maharaja during his Shikar.
- (1) Of goats and calves required as bait for hunting the animals.
- (2) Camels required for camps.
- (3) Bullocks with carts for camps.



## 9. Exaction of Provisions.

- (1) Rations for the army.
- (2) Fuel, Grass, Milk, Ghee.
- (3) Eggs and fowls.

Just at the time when the Committee was taking evidence at Ludhiana, the Tikka Sahib was camping nearby and we were informed that for four days all milk and butter of the whole village was taken away forcibly.

All the statements received have been very minutely examined by the Committee. With regard to the allegations under this count the Committee had the particular advantage of meeting the agriculturists from various districts, and they were anxious to be cross-examined with a view to disclose the real truth of the whole affair; and the Committee is satisfied that the statements produced in support of the allegations under this count are substantially true. Although in the written statements it is not mentioned that payments were received by the people for forced labour etc, the Committee did find during their examination, that some payments, of course quite negligible, were made in some cases. For the digging of a canal in Bhupender Sagar, for the cutting of the weeds in water, for bullock carts taken in hills as also for the building of the amphitheatre, for wrestling matches, some wages were paid. But they were so poor that in some cases they were not even accepted by the people. For example, in the case of building the amphitheatre, it was an ordinary work of the P. W. D. which ought to have been carried out in the usual way by that department but the authorities compelled the agriculturists from a distance of even 20 to 30 miles to go to Patiala to build the theatre. A single journey railway-fare from one such village is nine annas. So the poor villager has to pay one rupee and two annas for going and returning once and has also to pay for his food during the day; and still he was paid annas 3 only as his wages. No wonder therefore that in many cases people did not accept the payment, and one does not know what happened to the amount so refused. It is said that the people were made to sign the receipts of the money although they did not care to receive the same. It is possible that the petty servants may have appropriated the money thus remaining unpaid. That is the history of payments for the forced labour.

But the question of payments is not one that really matters. The crucial point is the compulsion, which is regularly resorted to, by the State for works that are of an ordinary nature and can be carried out in the ordinary way by the P. W. D. of the State.

The case of compulsion to supply milk, ghee and such other provisions has a peculiarity all its own. It is pointed out under the count of Shikar how the compulsion interferes with the daily necessities of the children of each family. But it is not the camp alone that harrasses the villagers. Movements of the State Army also cause the same hardships. The movement of the Army at the time of the tour of Sardar Kharag Singh, as also the annual manoeuvres of the Army in different parts of Patiala territory, have the same story to tell. Shikar and the Army-movements are particularly mentioned because on such occasions the entire stocks of provisions from the villages are requisitioned, while the visits of officers etc. are not mentioned because they do not require such wholesale stocks. Otherwise they too require all the varieties of provisions these Shikar-camps and the Army require.

One special feature of this Begar is the compulsory night-service as a village-guard, to be rendered by every house-holder in the village. The system is that every house has got its turn when one of its members should go to do the service; thus even if he is the only earning member of his family, he is paid nothing; and if he fails to go, he is punished. This is known as Thikri Pahera and is in force throughout the State. It means that the elementary duty of protection also is not only not done by the State but is imposed forcibly on the people themselves. Almost all the witnesses that appeared before the Committee complained against this system and there is no reason to disbelieve them.

*Conclusion* :—The Committee is therefore of opinion :—

- (1) That forced labour and exacting of provisions mentioned in the opening para of this count, are prevalent in the Patiala State.
- (2) That in some cases payments are made to the people, but they are negligible.
- (3) That the whole system causes great hardship to the people.

## 10. Non-Return of the War Loan.

During the time of the Great War Patiala State took some War Loan in the name of the State. People of the State were asked to contribute towards this War Loan. Some people then received some of their money back, but the remainder is not still forthcoming, while some people have not received back anything till now. It appears that this is the

case in spite of the fact that the State has been refunded the Loan in its name, from the Government.

One great point in connection with this count is that the people contributed to the War Loan Fund, because they were under the impression that as the British Government was a Party to this Loan, they were sure to recover their amount. Although money was given directly to the State, it was the credit of the British Government that was pre-eminently in view and it was this credit which inspired such an assurance in their minds. This is the reason why in all the statements mentioned above, the witnesses have laid considerable stress on this grievance. Although the disillusionment has come a little late, it has come and people are convinced that whosoever be the other party and whosoever's credit may be at stake, there is little hope of recovering this money back if the State is the intermediary.

A peculiar feature of the whole affair is that the people do not know in what kind of War Loan their money was invested. Most of them have not got even the receipts of the money contributed by them. They do not also know why some of the money is returned and why the remainder is not so returned, as also why some people are paid while others are not paid at all. They are quite unaware of what is the actual state of affairs, that is, whether the money is received in the State Treasury or not; or whether the money is lying somewhere in the transit in other departments of the State. All this confusion is due to one defect, which is that the whole amount was contributed in the name of the Patiala State. If the amount had stood in the name of each individual in the books of the Government, there would have been no room for all these vagaries and the credit of the British Government would not have been shaken in the minds of the people. Anyhow the statements of the witnesses in this connection are thoroughly reliable.

*Conclusion* :—We believe that some of the War Loan money although recovered by the State from the British Government is not refunded to the people and if this would prove to be true to that extent, it would amount to misappropriation of the War Loan money by the State. The matter deserves to be thoroughly enquired into by the British Government.

### 11. Revenue Grievances.

It is found that the land revenue assessment of some villages has been raised from 700 to 1175 and so on without any formal or informal enquiry simply by the order of the Darbar. New taxes, such as 3 as. per Bigha, which is called 'Khush Halkyat' tax—that is 'cheerful tax'—are being imposed and collected without any ceremony. Water-tax is being recovered even though agriculturists dug and built wells at their own expense, the State contributing absolutely nothing.

A number of villages have been given over to the Maharaja's favourites who invariably have abandoned the cash system of levying assessment and have resorted to a system of levying in kind, recovering a share of produce involving innumerable hardships to the Ryots. Agriculturists of some villages are treated as possessing no proprietary rights in the land which means that these agriculturists are looked down as degraded by their caste people, and in consequence they do not get girls in marriage. This is proved by the fact that out of every four adults only one is married in these villages.

Nasal Act which takes away the right of inheritance of the legitimate heirs removed to more than 5 degrees, is another hardship of the people of Patiala.

Bribery is the order of the day.

### Examination of the Evidence.

The Committee has not gone minutely into the Revenue Administration of the State. It does not therefore propose to deal exhaustively with the subject. It only refers to some of the complaints against the department as found in some of the statements tendered before the Committee.

It was stated to the Committee by some of the witnesses that the Tehsildar went to their village and declared an increment of 33 per cent in the assessment. This method of the Revenue Department is stated to be very common. All the witnesses that have appeared before us agree on this point.

Still more curious are the ways of the department as seen in the levy by it of the water tax, even though no water is supplied to the cultivators. A cultivator constructs a well from his own funds, the State rendering no help whatsoever, but when the cultivator begins to use the water of the well the State comes forward and charges the water-tax.

All the statements referred to above in connection with this count are short summaries. Witnesses have come before the Committee and the Committee is considerably impressed by them.

\* The Committee therefore believes that there are prima facie grounds to hold that :—

(1) The Land Revenue Assessment is increased according to the whims of the Revenue Department.

(2) That different kinds of taxes are levied with no justification and with no ceremonies whatsoever

(3) That the Maharaja gives away villages to his favourites who adopt methods of harrassment to the Ryots of these villages for the purpose of extorting more money from them.

(4) That non-recognition of proprietary rights in some villages has caused great hardship to them.

(5) That the Nazal Act is bitterly resented by the people.

## 12. Misappropriation of Funds.

The Maharaja is habituated to raise from the people various funds for public purposes ; but as a matter of fact such works of public utility are rarely carried out and the money collected is spent by the Maharaja for his private use. The following are some of the funds brought to the notice of the Committee .—

(1) Partition of Property Fund .—This is raised in many villages saying that the State would take steps to effect partition of the property. Partition was never made and the money is not returned.

(2) X Ray Fund .—This was raised from most of the villages of the State, stating that the new instrument is necessary for the Hospital in the interests of the people. People do not know what has become of that Fund.

(3) Conference Fund :—Villagers were told that a Conference or Congress was to be held in Patiala for their benefit. People do not know what that Conference was, whether it was held or not.

(4) Canal Bridge .—Most of the villages have got canals and it is a great hardship to them to cross these canals to go to the other side. It was represented to them that the fund was needed to construct bridges on these canals. Bridges have never been built and the money is not at all returned.

(5) Schools .—Fund for schools was raised. Neither the school nor the money which left their pockets was visible

(6) Local Cess :—This cess is collected by the State from the villages for education, dispensary and roads. But the fact is that in a Tehsil of 400 villages there are hardly half a dozen schools. As for dispensaries, they are rarely to be found even in Tehsil towns, not to speak of villages which have got none. Metalled roads there are none for the use of the villagers.

## Examination of the Funds.

We find this to be quite a novel feature in Patiala, rarely found in other States, namely the raising and collecting of such funds. It is certainly a very ingenious way of adding to the revenues of the State ; no doubt it shows the utter bankruptcy of constructive genius and gross immorality and dishonesty.

We have found from a volume of evidence that a fund known as X Ray Fund was raised and collected from the Patiala territory. We really wonder why a special fund is necessary for this purpose. It is an apparatus of the hospital. If the State thinks it to be necessary the State has got to provide the money from the State treasury, or some charitably inclined gentleman may donate that sum. But why and how a special fund was raised for this purpose passes our comprehension. It can only be explained this way that the money was to be taken from the people under some pretext. This one was thought convenient and it was adopted. The same is the reason for the rest of the funds.

The Local fund cess is an imitation of British India. Unfortunately it is an imitation only for the purpose of collection and not for expenditure. We can understand that the State cannot open schools in all villages from this fund ; but only six primary schools in a Tehsil of 400 villages is certainly scandalous. With no dispensaries, no roads and with such a meagre number of primary schools from a fund which charges two annas per Bigha, it is very easy to say that not only no extra money is spent by the State from its general resources as is done in the British India, but even this money which is specially raised for the purpose does not seem to be fully utilised for its legitimate purpose. It is certainly discreditable as the facts are found to be true. We accept all the evidence tendered in this connection and it makes out a prima facie case.

**Conclusion :—**We therefore find that the Maharaja raises money by way of public funds and does not render any account of them for the purposes they were meant for. This is a sheer breach of faith.

## Opinion.

We are asked by the Working Committee to state our opinion on the substance contained in the Memorial presented to H. E. the Viceroy by ten citizens of the Patiala State. With this purpose in view we have examined in the foregoing chapter the material that came to us. We are conscious of the fact that all this material was gathered behind the back of the Ruler of Patiala and it does not bear that value which a cross-examination by the opposite party would give to it. But that is one way of looking at it. There is another as well. The tour of the Committee was widely advertised in the Press. The Committee was quite prepared to give quarters to the other party if they meant to present their side of the question. But while Patiala State could spare their police to surround the Committee from everywhere and attempt the stopping of evidence that was forthcoming, they made no attempt to respond to the public invitation given to all by the Committee to help in the Committee's work. After that the Committee had to fall back upon the only alternative which was to go on *ex parte*. None of the members of the committee has any interests, friends or relations in the Patiala State. None of them even knew any citizen or the Ruler of Patiala. Theirs has been a perfectly disinterested task. They tried their level best to ascertain the truth as far as possible and to convince themselves about the reliability of the witnesses. All that could be done under the circumstances, was done by them to fill up the gap of the absence of the other party.

At the worst our enquiry can be said to resemble a police investigation. In the case of offences alleged against ordinary people, the police hold an investigation behind the back of the accused, and when there is sufficient material for a 'prima facie' case, they send up the case for enquiry before a magistrate; and then the magistrate has to hold a regular enquiry. That is just our position. We have had in our possession a complaint against the Maharaja of Patiala. We held an investigation behind the back of the Maharaja; and as a result we proceeded to state our opinion as to the substance in the allegations, that is, whether there exists 'prima facie' grounds in support of the Memorial.

We have in the second chapter exhaustively dealt with all that came in our possession in this connection, and we have stated our conclusions on each of the count framed by us. Certainly our conclusions do not cover all the allegations mentioned in the Memorial. They cover only a few of them. But the point is, that not even one of the allegations mentioned in the Memorial has been found by us to be either wrong or malicious. Naturally we could cover only a small field, but whatever came to us in that small field has all gone to support the allegations in the Memorial. As a matter of fact, in some of the matters the material was even sufficient for a final verdict. Thus judging from what we had an occasion to examine, we have no hesitation in stating that the allegations made in the Memorial are not made lightly or irresponsibly, but have the backing of very solid and in many cases startling and shocking facts.

We therefore find it as our deliberate opinion that the Memorial submitted to H. E. the Viceroy by the citizens of Patiala has a great substance in it and is one which must be taken up very seriously by all, be they individuals or a system, if they have a soul to swear by.

Amritlal V. Thakker  
G. R. Abhyankar  
Amritlal D. Sheth

I am sorry I could not accompany the Committee of Enquiry, due to an act of social 'force majeure'—a Committee which was appointed at my suggestion, if not initiation. I am glad to sign the Report, and can say that on evidence a case of "I Accuse" has been made out by the Committee, and I think that the Indian States' People's Conference has justified its 'raison d'être' and may well consider the report a feather in its cap—not that in holding the enquiry, it has done anything but its duty to the People of Indian States on whose behalf it speaks. I suggest that the Report be dedicated to the Sovereign British State whose duty vis a vis the Report is now clear. Will the Government of India take up the matter and hold a judicial enquiry? The enquiry, if held, would demonstrate in deed more eloquent than words, that the Sovereign State cannot be passive spectators of what is going on in the Indian States, as what is true of Patiala is true, more or less, of many an Indian State. The very fact that the Sovereign Power, if proper materials are placed before it, will hold an enquiry will to a great extent put the Rulers of Indian States to thinking and this cannot but be beneficial in its effects.

● But the question is : will the British Sovereign Power do so ? If it does not, it will be "non-co-operating" with the people of Indian States, and the implications and dangers of non co-operation are too well-known to be impressed on the British Raj.

The Maharaja of Patiala is reputed to be a sportsman. Will he be 'Sport' enough to ask for an impartial judicial enquiry and thus seek to free his State and person from the allegations so openly made by his subjects and established by the Committee of Enquiry.

I trust neither the Government of India nor the Patiala State will treat the Report as 'non-est' and in that trust and hope I sign the same.

Lakhmidas Rowjee Tausee

## Inquiry into Allegations.

The above report was released to the public and was distributed broadcast just when the Chamber of Princes was holding its session at Delhi in February 1930. It stirred practically the whole of India to its depths. In justice to the Maharaja himself as well as to the people whose grievances were ventilated through the publication, the Government of India were strongly urged, in press and platform, to take immediate steps to make a thorough enquiry into the matter and let the world know the results thereof. Indeed, the charges against the Maharaja were of such a shocking nature that neither the public nor the Power which claims for itself the right of paramountcy in relation to the Indian States could pass over them in silence without being accused of the gravest neglect of their respective duties. Unfortunately, however, the Government chose a different course. They sat idle over the matter for days together and were moved to action only when the Maharaja himself requested them to accept his own suggestion of an enquiry into the allegations through his own nominee. The following letter from His Highness the Maharaja of Patiala, dated 5th. May 1930, was sent to His Excellency the Viceroy :—

### Patiala's Request to Viceroy.

"My dear Lord Irwin,

"Your Excellency is no doubt aware that for some time past a certain section of the Press has carried on a persistent agitation against me, casting a grave reflection on my character and honour as a ruler and a man. If I refrained from taking any action against such newspapers, it was partly because I felt that the wild character of the accusations against me, couched as they always were in not only intemperate but vulgar language and inspired as they were by powerful and unscrupulous enemies, carried their own refutation in the eyes of all responsible persons.

"The position has, however, materially changed since the publication of a pamphlet called "An Indictment of Patiala" over the signatures of certain gentlemen who met at a committee under the auspices of the Indian States' Peoples' Conference and conducted an inquiry at Lahore and elsewhere in British India wholly "ex parte" and practically endorsed the comments that had already appeared against me in certain newspapers.

"My Government issued a communique in this connection, a copy of which I enclose herewith.

"I have reasons to believe that, emboldened by my long suffering silence, they have widely circulated this pamphlet both in India and in England. I can, therefore, no longer ignore these accusations, and I owe it to myself that I must voluntarily ask for a thorough, searching and independent inquiry into the allegations against me formulated in twelve counts contained in that pamphlet.

"From the moment that this pamphlet was brought to my notice, I have been most anxious to vindicate my honour and to take such steps as I may be advised to take for the refutation of these charges. I lost no time in ordering a collection of all documentary

evidence and its being placed in the hands of my legal advisers. The examination, however, by my legal advisers of the voluminous documentary evidence placed before them has naturally taken some time.

"I am now in a position to make a definite request to you in writing that you may be pleased to order an inquiry into the twelve counts contained in the pamphlet known as an 'Indictment of Patiala' and to call upon my traducers to establish the charges they have made against me and to give me an opportunity of meeting those charges.

"Speaking for myself and my Government, we shall be only too willing to give every possible assistance to the officer conducting the inquiry to enable him to arrive at the truth of the matter. Should Your Excellency, in view of all the circumstances of the cases and the urgency of the matter, decide to entrust the inquiry to the Hon'ble the Agent to the Governor-General, Punjab States, I shall agree to such a course if I am allowed to be represented by counsel of my choice.

"I have no doubt that the other party will also be similarly allowed to be represented by counsel of their choice. I also desire to say that I shall have no objection to the inquiry being conducted at such a place and on such a date as may be founded to be convenient. I need scarcely say that I am most anxious to avoid unnecessary delay.

"While I am taking this step, I am anxious that neither in the case of the State of which I have the honour to be ruler, nor in that of any other State, should this be treated as a precedent for the future. It is obvious that if a certain number of persons combine together to besmirch the reputation of a ruler of an Indian State in the hope that their action will always be followed by an inquiry, the position of Indian rulers will become absolutely intolerable. As it is, Indian Princes have recently become the targets of attack in a certain section of the Press in British India and their peculiar political and constitutional position places them at a disadvantage in coping with this evil.

"I am taking this step only because I feel that neither as the ruler of this State nor as the official representative of my order can I afford any longer to sit silent against the campaign of calumny which, under a powerful influence, has been gathering in volume and virulence of late.

"I therefore trust that Your Excellency may be pleased to draw up the terms of reference and give the necessary directions to the inquiring officer for the method and procedure to be adopted, of which I trust my accusers and I shall be apprised at an early date.

"Believe me, Your's very sincerely, Bhupendra Singh of Patiala."

### Governor-General's Order.

His Excellency the Governor-General was, accordingly, pleased to entrust the Hon'ble Mr. J. A. O. Fitzpatrick, Bar-at-Law, A. G. C., Punjab States, with the making of a full inquiry into all the charges contained in the recent publication "An Indictment of Patiala." He will conduct the inquiry "in camera" at such a place and time as may be appointed by him and will have full power to fix the times of hearing, to adjourn hearings, to adjust and arrange the methods of procedure, to settle the course which the inquiry shall take, to call for and to receive or reject evidence, documentary or other, to hear counsel and such persons on behalf of the parties as he may think fit, and generally to guide the whole of the proceedings of the inquiry as from time to time shall appear to him proper for the purpose thereof.

In accordance with this decision, those concerned will be notified by the A. G. G. in the Punjab States of the time and place of the inquiry and should submit any representation direct to him.

The result of this investigation was allowed to see the light on the 4th. August 1930 and the Government in accepting it exonerated the Maharaja from all charges levelled against him. The findings of Mr. Fitzpatrick as well as the statement of Mr. Amritlal D. Sheth are given in Volume II of the Register.